

**BEFORE THE
DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WASHINGTON, D.C.**

IN THE MATTER OF

Petition of Hylio Inc. for Exemption

Docket No. FAA-2020-0035

COMMENTS OF THE SMALL UAV COALITION

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The Small UAV Coalition¹ is pleased to provide its comments in support of the petition by Hylio Inc. (“Hylio”) for an exemption under section 44807 to allow Hylio to operate its AG 116 unmanned aircraft system (“UAS”) weighing under 125 lbs. at takeoff, using remote pilots who will hold a private certificate. Hylio intends to operate its UAS to perform agricultural spraying under Part 137, including at night, and with multiple AG 116 aircraft being operated by a single remote pilot.

Members of the Small UAV Coalition share an interest in advancing regulatory and policy changes that will permit the operation of UAS in the near term within and beyond the line of sight, with varying degrees of autonomy, for commercial and other civil purposes. This includes operations of aircraft heavier than 55 lbs. The Coalition believes that granting this petition will help advance this objective.

Hylio’s petition states that it has operated over 10,000 UAS operations safely in several countries in Central America. It states that it will operate within the conditions and limitations the FAA has imposed in granting exemptions to other companies seeking to conduct agricultural spraying using UAS over 55 lbs. See Exemption Nos. 17261 and 17936 (as amended) to Drone Seed, FAA-2017-1157; Exemption No. 18009 to Powers Flight Group, FAA-2018-0574; and Exemption No. 11448 (as amended) to Yamaha, FAA-2014-0397. It will operate below 200 feet Above Ground Level (AGL) – typically only 20 feet AGL – and not in excess of 30 mph.

Hylio’s petition requests permission to use pilots who hold a remote pilot certificate with small UAS rating instead of a commercial pilot certificate. Before it published the Part 107 final rule, the FAA required section 333 exemption holders to use only pilots with an airman certificate. The

¹ Members of the Small UAV Coalition are listed at www.smalluavcoalition.org.

Coalition agrees that a Part 61 commercial pilot certificate is not necessary, in light of the equivalent level of safety involved in the training specific to the operations Hylio pilots will conduct, including obtaining approval to conduct agricultural operations.

The Coalition notes that for operations of UAS over 55 lbs., it is section 44807, and not Part 107, that provides the avenue for relief. Thus, while Hylio's request to operate at night, to use a single pilot to operate up to five AG 116 UAS at the same time, and to carry hazardous material, are to be evaluated under section 44807 and Part 137. The Coalition believes FAA Part 107 waiver precedent is relevant. As for operations at night, Hylio will essentially comply with the conditions the FAA has imposed in granting Part 107 waivers for night operations. For operating up to five AG 116 UAS by a single remote pilot, Hylio states that its UAS are programmed to avoid a collision and autonomously deconflict for all UAS in the event a manned aircraft is in the vicinity.

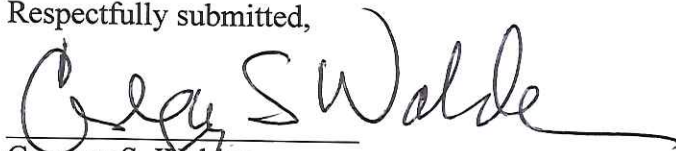
The Coalition supports granting exemptions to carry hazardous materials, which is inherent in agricultural spraying operations, provided the applicant meets the requirements in Part 137.

With respect to the airworthiness of the UAS, the Coalition supports the use of section 44807 to authorize commercial operations without type, production, or airworthiness certificates, and defers to the FAA's evaluation of Hylio's Flight Manual and other materials submitted confidentially.

In sum, the Small UAV Coalition supports Hylio's petition for exemption, in consideration of operational environment where UAS operations will be conducted, the operational limitations it will observe, and its prior experience in Central America.

Accordingly, the Coalition requests the FAA grant Hylio's petition for exemption.

Respectfully submitted,



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