

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

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**IN THE MATTER OF**

**Petition of Zipline International, Inc. for Amendments to Exemption No. 11911C**

**Docket No. FAA-2020-0499**

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**COMMENTS OF THE SMALL UAV COALITION**

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The Small UAV Coalition<sup>1</sup> (“Coalition”) provides the following comments on the petition filed by Zipline International, Inc. (“Zipline”) to amend Exemption No. 11911C to: (1) authorize Visual Flight Rule (“VFR”) operations in low-to-zero visibility; (2) allow pilots in command (“PIC”) to hold a valid U.S. driver’s license in lieu of a third-class medical certificate in BVLOS operations; (3) remove the requirement to complete FAA Form 337 when performing a major repair or alteration; and (4) perform major alterations or repairs using data acceptable to the Administrator.

Drones offer a safe and efficient means of conducting a variety of operations. Members of the Small UAV Coalition share an interest in advancing regulatory and policy changes that will permit the operation of drones within and beyond the line of sight, with varying degrees of autonomy, for commercial and other civil purposes, and the Coalition believes granting this petition will further that interest. The sUAS industry would benefit from the FAA taking additional actions to waive or modify existing regulations taken from the passenger transport industry to adapt them to the needs and risk profile of uncrewed aircraft and operations.

Zipline, a member of the Coalition, is a well-known leader in the drone industry that designs, manufactures, and operates drones that deliver medical supplies, healthcare goods, and other consumer products. Its petition notes that Zipline operates in eight countries across three continents, including the United States. Zipline has flown more than 118 million autonomous miles and made more than 1,080,000 deliveries to customers to date.

Zipline requests to operate in low-to-zero visibility when delivering important medical and consumer goods during periods of low visibility. It offers six reasons as to why this amendment would not adversely affect safety, including the operational environment in low altitude low

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<sup>1</sup> Members of the Small UAV Coalition are listed at [www.smalluavcoalition.org](http://www.smalluavcoalition.org).

visibility airspace and Zipline's acoustic and ADS-B In detect-and-avoid systems. For the reasons stated in Zipline's petition, the Coalition supports the requested amendment.

Zipline notes that it has extensive experience safely operating under Part 107 and Part 107 waivers with flight crew without a FAA medical certificate. Zipline also notes that the FAA does not require a medical certificate of any kind for pilots of light-sport aircraft. The Coalition notes that the FAA has approved at least two petitions in which the remote pilot holds only a driver's license. In 2015, the FAA granted a section 333 exemption to Aeryon Labs, Inc. (Exemption No. 11213) and in 2018, the FAA granted Yamaha Motor Corporation's petition for exemption (Exemption No. 17790). In both cases, the petitioner proposed to operate within the visual line of sight ("VLOS") of the pilot. For these BVLOS operations, Zipline will otherwise comply with Condition and Limitation 79, which provides basic protection for the safety of operations by prohibiting the PIC from conducting an operation where the PIC knows or has reason to know of any physical or mental condition that would interfere with the safe operation of the UAS. Zipline adds that its pilots, who operate in an office environment monitoring screens, are trained to decline to conduct operations due to fatigue, or from effects from alcohol, drugs or medications. Under these circumstances, the Coalition supports Zipline's request.

Zipline seeks an exemption from 14 C.F.R. 43.9(d) to avoid submitting Form 337 after completing a major repair or alteration. Zipline notes that it maintains its aircraft under an approved continuing airworthiness maintenance program ("CAMP"), which should adequately address what documentation may be required for certain repair or alteration work.

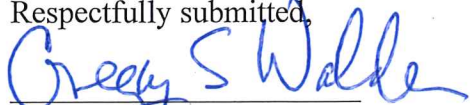
Zipline seeks to modify the operating information it must provide to the FAA on a monthly basis. They are proposing to change the reporting threshold for encounters where a drone operates within a horizontal distance of less than 2,000 feet and a vertical distance of less than 250 feet from a manned aircraft. The Coalition supports providing the information but does not agree with Zipline's proposed distance threshold. Extensive testing by industry leaders shows that the current 6,000 feet horizontal and 500 feet vertical definition is too large to directly correlate violations of this volume to collision risk. Zipline's proposal is based on the outdated definition of UAS Well Clear in ASTM F3442/F3442-20, which is soon to be superseded. In the latest round of Part 135 exemptions, the FAA acknowledged that "[t]he reporting requirement for loss of "well clear" has been removed as "well clear" is not formally defined," making it inappropriate to link the reporting threshold to this undefined term. It could also be misleading and suggest regulatory violations where none occurred. As industry leaders with proven detect and avoid capabilities, Coalition members can maintain safe separation from other aircraft without the need for defined values that restrict operations unnecessarily. The Coalition acknowledges the current need for data collection to allow the FAA to assess actual collision risk. However, this should be done through performance based requirements that is not conflated with and outdated definitions that have not been formally adopted by regulation. If a performance based requirement is not adopted then the Coalition proposes replacing it with a reporting requirement of 100' vertical separation and 500' horizontal separation to align to other reporting requirements in the exemption.

Finally, Zipline seeks an exemption from 14 C.F.R. 1345.437(b), which requires major repairs or alterations to be completed "in accordance with technical data approved by the Administrator[.]" and replace that requirement with allowing Zipline to create data to support major repairs and

alterations using a process in Zipline's FAA-accepted General Maintenance Manual and then perform that maintenance under its CAMP. This exemption would result in changes to five Conditions and Limitations. The Coalition supports this request for Zipline to follow the FAA-approved process, subject to FAA oversight.

In sum, the Coalition supports Zipline's petition for exemption, including requested amendments to Conditions and Limitations in addition to those discussed in these comments, for the reasons set forth in Zipline's petition.

Respectfully submitted,



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