

CHANGE

**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION**

**ORDER
2150.3B
CHG 13**

National Policy

Effective Date:
08/27/18

SUBJ: Compliance and Enforcement Bulletin 2018-13: Guidance on Unmanned Aircraft System (UAS) operations that interfere with wildfire suppression, law enforcement, or emergency response efforts.

- 1. Purpose.** This change to FAA Order 2150.3, as amended, provides guidance on actions applicable to persons who operate Unmanned Aircraft System (UAS) that interfere with wildfire suppression, law enforcement, or emergency response efforts.
- 2. Who this change affects.** The change affects all agency personnel who investigate, report, or process enforcement actions involving the operation of UAS in the National Airspace System.
- 3. Explanation of Policy Change.** The change contained herein provides guidance for handling cases involving persons who operate UAS that interfere with wildfire suppression, law enforcement, or emergency response efforts.
- 4. Disposition of Transmittal Paragraph.** Retain this transmittal sheet until the directive is cancelled by a new directive.

PAGE CHANGE CONTROL CHART

Remove Pages	Dated	Insert Pages	Dated
N/A	N/A	Appendix H, H-6 and H-7	08/27/18

5. Administrative Information. This Order change is distributed to divisions and branches in Washington headquarters, regions, and centers and to all field offices and facilities.

Daniel K. Elwell
Acting Administrator

COMPLIANCE AND ENFORCEMENT BULLETIN NO. 2018-1

SUBJECT: Actions for the operation of an Unmanned Aircraft System (UAS), including Model Aircraft, when the operation interferes with a wildfire suppression, law enforcement, or emergency response effort.¹

DISCUSSION: The Federal Aviation Administration's safety mandate under 49 U.S.C. § 40103 requires the agency to regulate aircraft operations in the National Airspace System (NAS), including those involving UAS, to prevent aircraft collisions and protect persons and property on the ground. UAS operations that interfere with wildfire suppression, law enforcement, or emergency response efforts create an unacceptable level of risk to aircraft and persons conducting such operations.

On July 14, 2016, Congress promulgated the FAA Extension, Safety, and Security Act of 2016. Section 2205 of the Act amended the United States Code to add 49 U.S.C. § 46320 – Interference with wildfire suppression, law enforcement, or emergency response effort by operation of unmanned aircraft. This statute authorizes the FAA to impose a civil penalty of not more than \$20,000 against an individual who operates a UAS and in so doing knowingly or recklessly interferes with a wildfire suppression, law enforcement, or emergency response effort.

UAS operations that interfere with wildfire suppression, law enforcement, or emergency response efforts endanger the safety of the National Airspace System.

ACTION: Until further notice, the following compliance and enforcement procedures are in effect for actions against persons who operate UAS that interfere with wildfire suppression, law enforcement, or emergency response efforts.

1. Where a person operates a UAS and in so doing interferes with a wildfire suppression, law enforcement, or emergency response effort, FAA investigative personnel send the case to AGC-300 for legal enforcement action.
2. Where an individual operates a UAS and in so doing knowingly or recklessly interferes with a wildfire suppression, law enforcement, or emergency response effort, the FAA generally seeks a civil penalty in the \$15,000-\$20,000 range per violation under the FAA Extension, Safety, and Security Act of 2016, § 2205(a).
3. Where a person operates a UAS and in so doing interferes with a wildfire suppression, law enforcement, or emergency response effort, the FAA generally will proceed with legal enforcement action for violations of applicable Federal Aviation Regulations regardless of the culpability of the operator.

¹ For purposes of this Bulletin, "Model Aircraft" means a "model aircraft" as defined in 14 C.F.R. § 101.1(a)(5) and operated in accordance with the criteria set forth in 14 C.F.R. § 101.41.

4. When FAA investigative personnel believe there may be a violation of any federal criminal statute, he or she coordinates with his or her supervisor, the affected program office, Office of Security and Hazardous Materials Safety (ASH), and FAA enforcement counsel. After coordination, if it is agreed that criminal conduct has possibly occurred, ASH will refer the matter to the DOT/OIG.