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## Final Regulation Agency Background Document

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| <b>Agency name</b>  | Department of Aviation  |
| <b>Virginia Administrative Code (VAC) Chapter citation(s)</b> | 24 VAC 5-20-10; 24 VAC 5-20-420   |
| <b>VAC Chapter title(s)</b>                                   | Regulations Governing the Licensing and Operation of Airports and Aircraft and Obstructions to Airspace in the Commonwealth of Virginia |
| <b>Action title</b>   | Take-Off and Landing Unmanned Aircraft on Land Owned by a Political Subdivision or Locality.  |
| <b>Date this document prepared</b>                            | 7/19/2023   |

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19, the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

### Brief Summary

*Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.*

This is a new regulation that authorize cities, counties, towns, school divisions, park authorities, jail authorities and airport authorities (political subdivisions) to adopt local regulations for the take-off and landing of UAVs on properties owned by the political subdivision. Any such local regulation must be submitted to the Department of Aviation prior to adoption. Once approved by the Department, the political subdivision must advertise and hold a public hearing prior to acting on the regulation. The regulation contains exceptions: those required by Va. Code §15.2-926.3 and additional exceptions to enable UAVs to be launched and landed during an under certain circumstances and to enable sole occupants of public property to launch and land unmanned aircraft for the property possessed by the occupants.

### Acronyms and Definitions

Define all acronyms used in this form, and any technical terms that are not also defined in the "Definitions" section of the regulation.

UAS: Unmanned Aircraft System  
UAV: Unmanned Aircraft

### Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

On July 21, 2023, the Virginia Department of Aviation adopted the final regulation for the Take-Off and Landing Unmanned Aircraft on Land Owned by a Political Subdivision or Locality.

### Mandate and Impetus

List all changes to the information reported on the Agency Background Document submitted for the previous stage regarding the mandate for this regulatory change, and any other impetus that specifically prompted its initiation. If there are no changes to previously reported information, include a specific statement to that effect.

This is a new regulation that authorize cities, counties, towns, school divisions, park authorities, jail authorities and airport authorities (political subdivisions) to adopt local regulations for the take-off and landing of UAVs on properties owned by the political subdivision. Any such local regulation must be submitted to the Department of Aviation prior to adoption. Once approved by the Department, the political subdivision must advertise and hold a public hearing prior to acting on the regulation. The regulation contains exceptions: those required by Va. Code §15.2-926.3 and additional exceptions to enable UAVs to be launched and landed during an emergency under certain circumstances and to enable sole occupants of public property to launch and land unmanned aircraft for the property possessed by the occupants.

### Legal Basis

Identify (1) the promulgating agency, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia and Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating agency to regulate this specific subject or program, as well as a reference to the agency's overall regulatory authority.

1. Department of Aviation
  2. Va. Code §15.2-926.
  - 3.B; Chapter 345 of the Acts of the Assembly, 2020 Regular Session.
- Subsection B: B. Notwithstanding the prohibition of subsection A, a political subdivision may, by ordinance or regulation, regulate the take-off and landing of an unmanned aircraft, as defined in § 19.2-60.1, on property owned by the political subdivision. Such ordinance or regulation shall be developed and authorized in accordance with the rules and regulations promulgated by the Department of Aviation

(the Department). Such rules and regulations shall be in accordance with federal rules and regulations and shall include a process for adoption of an ordinance or regulation, exemptions to the ordinance or regulation, political subdivision training, and notification requirements. The political subdivision shall report to the Department any ordinance or regulation adopted pursuant to this section, and the Department shall publish and update annually on its website, and any other website the Department deems appropriate, a summary of any such ordinance or regulation adopted.

### **Purpose**

*Explain the need for the regulatory change, including a description of: (1) the rationale or justification, (2) the specific reasons the regulatory change is essential to protect the health, safety, or welfare of citizens, and (3) the goals of the regulatory change and the problems it is intended to solve.*

Public properties are regularly used by the public for recreational purposes, especially public parks. Prior to the enactment of Va. Code §15.2-926.3, local political subdivisions lacked the ability to regulate the launching and landing of UAVs on lands owned by the subdivisions. This led to hazards to citizens by UAV flights at public parks and other areas. Further, while federal regulations prohibit flying of unmanned aircraft over federal and state prisons, no such restriction exists for local jails. The regulations will authorize regional jail authorities and localities that operate a jail or to control the launching and landing of unmanned aircraft at those sensitive sites.

### **Substance**

*Briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both. A more detailed discussion is provided in the “Detail of Changes” section below.*

The regulations will allow certain local political subdivisions to: regulate when take-offs and landings may be done on the subdivisions’ lands; identify areas of increased public safety or environmental concern where extra information must be provided by a potential user prior to a take-off or landing; require a demonstration of safety by the operator of an unmanned aircraft that weighs more than 55 pounds prior to launching or landing the aircraft. The regulations delineate the process for local adoption of regulations. The regulations provide exceptions for: landings due to malfunctions of the aircraft or its operating equipment; public safety officer or emergency services personnel use in performing his or her duties; operations by the US government; launching or landing to address declared emergencies; authority to allow the sole occupant of more than one-half acre of public land for an event to launch and land unmanned aircraft related to the occupant’s use.

### **Issues**

*Identify the issues associated with the regulatory change, including: 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions; 2) the primary advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public.*

*If there are no disadvantages to the public or the Commonwealth, include a specific statement to that effect.*

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1) Advantages: helps localities and certain political subdivisions reduce the risk of injuries or damage to property related to launching or landing unmanned aircraft, particularly in recreational properties, such as parks; Reduces the likelihood of persons launching drones on local properties. Disadvantages: limits the current, unfettered ability of unmanned aircraft operators to launch and land the aircraft on public properties.

2) Advantage: avoiding conflicts on local properties that could involve the Commonwealth in disputes. There are no disadvantages.

3) The regulation will provide unmanned aircraft operators consistent local regulations so they will know the terms of use and the limitations on launching and landing unmanned aircraft.

**Requirements More Restrictive than Federal**

*List all changes to the information reported on the Agency Background Document submitted for the previous stage regarding any requirement of the regulatory change which is more restrictive than applicable federal requirements. If there are no changes to previously reported information, include a specific statement to that effect.*

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There are no restrictions in the regulations that exceed federal requirements.

**Agencies, Localities, and Other Entities Particularly Affected**

*List all changes to the information reported on the Agency Background Document submitted for the previous stage regarding any other state agencies, localities, or other entities that are particularly affected by the regulatory change. If there are no changes to previously reported information, include a specific statement to that effect.*

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Other State Agencies Particularly Affected

None

Localities Particularly Affected

None

Other Entities Particularly Affected

Drone owners or operators who wish to launch and land UAS on properties owned by local political subdivisions that have adopted local regulations under the state regulations.

**Public Comment**

*Summarize all comments received during the public comment period following the publication of the previous stage, and provide the agency's response. Include all comments submitted: including those received on Town Hall, in a public hearing, or submitted directly to the agency. If no comment was received, enter a specific statement to that effect.*

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| Commenter                             | Comment   | Agency response   |
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| <p>Craig Parisot, CEO of ATA LLC.</p> | <p>As the CEO of ATA LLC, we are developing software in support of AAM across multiple states and regions. I was a member of DOAV's UAS Working Group from 2018 to 2021 and now a member of Virginia's Advanced Aerial Mobility Alliance (VAAMA). My term as a member of the Board of Directors of the Virginia Aviation Business Association (VABA) began in 2023. I also currently serve as the Chairman of the Virginia Foundation for Research and Economic Education (VA FREE) where we actively work to maintain a positive business climate in the Commonwealth by engaging directly with the General Assembly and Administration.</p> <p>I have been watching this issue closely over the past couple of years. The passage of HB 742 and the Virginia Department of Aviation's implementation has turned what could have been a setback for industry into a benefit by providing a clear framework for how localities can and should engage to address their needs. Putting proposed ground regulations through a DOAV process ensures that rules will be implemented thoughtfully and consistently across the state.</p> <p>Without question, the airspace is federal. However, State and Local governments manage the ground. Reconciling this is a challenge and, in doing so, we should seek to minimize restrictions and avoid a "patchwork" of regulations. That said, localities must have a say in how drones and other emerging aerial platforms are integrated into their communities. State, local, and regional stakeholders must be engaged and there must be a sensible mechanism to strike the right balance. I believe DOAV has achieved this.</p> <p>I am happy to provide these comments in support of the Department's efforts.</p> | <p>The Department appreciates ATA's continued support.</p>                                      |
| <p>anonymous</p>                      | <p><b>drafting issues of proposed regulation</b></p> <p>The proposed UAE regulations are ambiguous and contradictory in some instances and therefore will cause confusion to UAE owners, political subdivisions, and Virginia Department of Aviation (DOA). Prior commenters addressed some of the ambiguities, which DOA has not addressed. Additional examples follow. Recommend submitting draft regulations to VACO, VML, and other locality working groups to improve content.</p> <p>1. 24VAC5-20-410 is entitled "Definitions for Part VIII, Unmanned Aircraft," but there is no corresponding Part</p>  | <p>The Department has incorporated the suggested change into 24VAC5-20-420 for consistency.</p> |

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|  | <p>VIII Unmanned Aircraft section in the proposed regulations.</p> <p>2. 24VAC5-20-410’s definition of “locality” is “county, city, or town,” but towns are located within counties; therefore, it is unclear which regulations would prevail in the event of inconsistency between town and county regulations.</p> <p>3. 24VAC5-20-420 Political Subdivision Powers, subsection A, says political subdivisions “may regulate the take-off and landing of an unmanned aircraft on property owned by the political subdivision, in a manner consistent with this part.” The italicized and underlined words present different ambiguities.</p> <p>a. Overall, the wording implies that political subdivisions that do not allow UAS activity on their property need to proactively adopt regulations in order to prohibit such activity. In other words, the proposed regulation implies that UAS activities are allowed on public property unless a locality adopts prohibitory regulations. But the public has no inherent right to use public property for recreational or other purposes, and therefore the proposed regulation will cause confusion. For example, localities post public park rules stating what is allowed and what is prohibited – they do not have to adopt ordinances or resolutions in order to enforce their property rights. The wording of the proposed regulations imply otherwise.</p> <p>b. DOA intends to gather and publish regulations on its website to allow the public to see all political subdivision regulations in one location. DOA needs to convey on its website that political subdivisions with no adopted UAS regulations means UAS activity is not allowed on that political subdivision’s property. Otherwise, the public may infer the opposite – that no regulation means no prohibition.</p> <p>c. The words “in a manner consistent with this part” are unclear as to what “this part” means. The next section, 24VAC5-20-430, contains procedures inconsistent with this section, which adds to the confusion.</p> <p>4. 24VAC5-20-420 Political Subdivision Powers, subsection B, states “[t]he regulations may provide for times when take-offs and landings are allowed.”</p> <p>a. This single sentence is oddly placed as a separate paragraph following the prior paragraph containing the</p> |  |
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|  | <p>main regulatory authority. This single sentence paragraph creates the same ambiguities described in the comments above (i.e., permissive regulatory authority not adopted means activity not allowed, not the inverse that the public might presume).</p> <p>5. 24VAC5-20-420, subsection C, says the regulations may designate specific properties of increased concern for public safety or risk to natural resources where an operator seeking to use the property must show (i) the purpose of the take-off and landing, (ii) what steps the operator will take to limit risk to the public or to natural resources, and (iii) information to demonstrate that the take-off and landing can be carried out without harm to the identified public safety risk or natural resources. On such properties, the regulation may deny permission to take-off or land unmanned aircraft, unless the operator can demonstrate the safety of the take-off and landing, based on the information provided.</p> <p>a. This paragraph appears to give UAS operators power over political subdivisions, which is unconstitutional. Political subdivisions have the choice to allow or disallow UAS activity on their property.</p> <p>6. 24VAC5-20-420, subsection E. No political subdivision shall require a permit for operators for take-off and landing unmanned aircraft in areas designated for unmanned aircraft use. This subsection shall not apply to unmanned aircraft covered by subsection C of this section.</p> <p>a. It is unclear which areas or properties are “areas designated for UA use” and how someone would become aware of these areas.</p> <p>7. 24VAC5-20-420, subsection F. No [political] subdivision shall regulate the take-off and landing of unmanned aircraft with a ready-for-take-off weight of less than 0.55 pounds, except on properties regulated pursuant to the authority [in subsection B] of this section.</p> <p>a. This subsection is missing the word “political” as the second word, so that it reads “no political subdivision” instead of “no subdivision.”</p> <p>b. The reference to subsection B does not makes sense based on the content of subsection B; it should probably refer to subsection A instead, which contains regulatory authority.</p> |  |
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|  | <p>c. This paragraph appears to give UAS operators power over political subdivisions, which is unconstitutional. Political subdivisions have the choice to allow or disallow UAS activity on their property.</p> <p>8. 24VAC5-20-420, subsection G. Any political subdivision may provide or participate in offering UAS classes, competitions, and similar events on its property.</p> <p>a. This section does not appear to comply with statutory training requirement contained in the enabling legislation.</p> <p>9. 24VAC5-20-430 Procedure for adopting an ordinance or regulation</p> <p>a. This section contains contrary verbiage with the Powers section.</p> <p>10. 24VAC5-20-430, A. Any locality that proposes to regulate the take-off and landing of unmanned aircraft on property owned by it shall enact such regulations by ordinance or resolution. Any other political subdivision shall adopt regulations for such purposes.</p> <p>a. First use of the word “Resolution,” but it is not carried out through procedure as noted below.</p> <p>b. Unlike the Powers section, this paragraph properly implies that localities have the Power to choose whether to regulate or not.</p> <p>11. 24VAC5-20-430, B. No proposed ordinance or regulation may be advertised for a public hearing until the political subdivision has submitted the regulation to the department for comment and the department has notified the political subdivision that the ordinance or regulation is consistent with this chapter.</p> <p>a. Does not contemplate regulation by “resolution” thereby leaving them out of public hearing and notice requirements.</p> <p>12. 24VAC5-20-430, C. A locality may regulate the use of unmanned aircraft by ordinance or resolution. The locality shall hold a public hearing prior to adoption of regulations. The locality shall advertise the hearing and the substance of the ordinance or regulation on the locality website for a minimum of 14 days, displayed where public hearings are set out on the locality's website and shall include the advertising in the applicable social media feeds of the locality for the same period of time. The regulation must</p> |  |
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|  | <p>be based on findings of need for public safety protection or protection of specific natural resources.</p> <p>a. Permissive authority to regulate use rather than take offs and landings, which is much more expansive and contradictory to implied limits of Powers section</p> <p>b. Does not contemplate localities with no website or social media</p> <p>c. Requires localities to spend funds on needs assessment in order to regulate activity on its own property, unconstitutional.</p> <p>13. 24VAC5-20-430, D. Any political subdivision other than a locality shall hold a public hearing prior to adoption of a regulation. The other political subdivision shall advertise the hearing and the substance of the regulation on the subdivision's website for a minimum of 14 days, displayed where public hearings are set out on the political subdivision's website and shall include notice of the advertising in the applicable social media feeds of the subdivision for the same period of time. The regulation must be based on findings of need for public safety enhancement protection or protection of specific natural resources.</p> <p>a. Duplicative of prior paragraph for localities but same procedure, so they should be combined.</p> <p>14. 24VAC5-20-430, E. Every political subdivision shall report the adoption of any regulation permitted by this chapter to the Department of Aviation within 14 days of adoption. The report shall include an electronic copy of the regulations, policies, maps, and any other documents related to the regulation with links to the political subdivision's regulation. No regulation shall take effect until it is published on the department's website.</p> <p>a. Municode can take months to update, therefore, localities cannot guarantee it will be available online at any given time period. Localities need to state an effective date when adopting ordinances and resolutions.</p> <p>b. What is the procedure for political subdivisions that choose not to regulate? Do they have to submit anything to DOA? Again, UAS activities would not be allowed where no regulations adopted.</p> <p>15. 24VAC5-20-430, F. The department will publish all new or revised regulations or ordinances or provide links to the</p> |  |
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|   | <p>political subdivision's website pages containing such information within 14 days of receipt from the political subdivision. The department shall publish and update annually on its website, and any other website the department deems appropriate, a summary of any such regulations or ordinances adopted.</p> <p>a. See prior comments about implications of posted regulations in areas where no regulations adopted, and timing and availability of such regulations.</p> <p>16. 24VAC5-20-430, G. If, at any time, the department deems a political subdivision's local regulation to be inconsistent with this chapter, the department will inform the subdivision of the discrepancies. The political subdivision shall amend its regulation to eliminate the discrepancies.</p> <p>a. See prior comments about usurping authority of political subdivisions, and in particular, the implications of UAS authority in political subdivisions that do not adopt regulations, in which areas UAS activity would be prohibited.</p>  |  |
| <p>Mr. John Eberhardt III, Chief Technology Officer, ATA, LLC</p> | <p>I could find the mechanism to provide Public Comment on the proposed regulation on the Virginia Regulatory Town Hall, therefore I would like to send you my public comments in writing.</p> <p>As the CTO of a company developing and providing software projects for AAM navigation across multiple states and regions in the US, the challenge of how to integrate UAS and AAM into the local environment is a very real, and well known challenge.</p> <p>It is clearly established that airspace is federal, and rules on the ground are the province of State and Local government. It is also the stated position of industry that we should seek to minimize restrictions on operations and avoid a "patchwork" of regulation - a position that I happen to agree with and which has given rise to pre-emption statutes across the country.</p> <p>However, in our daily work, which involves heavy engagement with state, local, and regional stakeholders it is obvious that AAM will simply not become a reality if local government does not have some voice in how these technologies and vehicles</p> | <p>The Department appreciates ATA's continued support.</p> |

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|   | <p>are integrated into their communities. These communities are demanding a voice and deserve to have a voice - and a process that forces them up to the FAA and then back down again is simply not feasible and will force local governments into the very types of "drone bans" that industry wishes to avoid.</p> <p>So, how to square the circle between acknowledging the need for a local voice and also ensuring that the industr avoids a patchwork of regulation, clear rules, and doesn't have unnecessarily "closed" groundspace? The House Delegates and Senate forced this issue when they passed HB 742.</p> <p>The Virginia Department of Aviation, in their enactment of HB 742 has actually taken a piece of legislation that could have been a setback for our industry in Virginia, and turned it into a benefit. The proposed regulation in 24VACS-20-10 strikes the perfect balance between allowing a local voice, while also provided a clear, unambiguous framework for how that voice can be turned into clear, unambiguous, appropriate guidance for thE industry. Further, by putting potential ground regulations through a DOAV process, 24VACS-20-10 ensures that rules will be implemented thoughtfully and consistently across the Commonwealth of Virginia, when and where they are needed.</p> <p>We know from our work across the country, that not only is the Department of Aviation's implementation effective, but that the other governments and operators we are working with across the country see 24VACS-20- 10 as a model for how to balance these interests for the rest of the country.</p> |   |
| <p>Michele Satterlund, Executive Director, Unmanned Systems Association of Virginia</p> | <p>I am writing on behalf of the Unmanned Systems Association of Virginia (“USAV”) to provide public comment on the regulations dated 7/14/22 and identified as Take-Off and Landing Unmanned Aircraft on Land Owned by a Political Subdivision. USAV advocates for the industry interests of all unmanned systems (air, ground, and sea) and works to ensure Virginia’s legal environment supports the growth of the unmanned sector. While we understand the purpose of the Virginia Department of Aviation’s (DOAV) March 21, 2023 hearing is to approve a six-month extensions on the emergency expiration, it also opens up an opportunity to discuss the regulations as a whole. A public conversation on these regulations is</p>   | <p>The Department acknowledges the concerns raised and thanks Ms. Satterlund for her insightful comments.</p> |

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|  | <p>particularly important since they were drafted during the COVID-19 pandemic and there were no real public hearings held. As such, USAV wants to use this opportunity to reduce the regulatory barriers that we see as going beyond what is 2 allowed by statute and clarify our continued concerns and suggested amendments as outlined below.</p> <p>24VAC5-20-410 Definitions “Recreational Operator.” The Code of Virginia does not define a recreational operator, nor does the Code use the term recreational operator. The definition of what is a recreational operator is a significant legal question that has not been defined by Virginia statute and is beyond the scope of what the originating legislation (third enactment clause of Chapter 345, 2020 Regular Session) authorized the VDOAV to draft. Given that the term and definition of “Recreational operator” are not used or defined in Virginia statute, USAV asks that the definition be struck from the proposed regulations until such time as the legislature seeks to amend the statute to include this provision.</p> <p>24VAC5-20-420 Political subdivision powers Subsection A. The exceptions under 24VAC5-20-440 are critical to understanding who and what a political subdivision may regulate and help frame the political subdivision’s powers. Thus, we think it is necessary to clarify that an exceptions section exists under 24VAC5-20.420 as follows (USAV’s proposed language in red): A.Unless exempted by 24VAC5-20-440, any political subdivision may regulate the takeoff and landing of an unmanned aircraft.....” Subsection B: Subsection B is vague and gives the political subdivision broad power in determining time restrictions based on subjective standards, which could essentially allow a political subdivision to ban the use of all unmanned aircraft at any time. The following additional amendment language (in red) resolves this issue: B.The Regulations may provide for hours when take-offs and landings are allowed. Any such regulation must clarify the subdivision’s reasoning and shall provide a method by which the unmanned aircraft operator may appeal the limitation.</p> <p>Subsection C: To protect the public and to ensure sensitive airspace is not compromised, the FAA has put in place certain airspace restrictions for unmanned aircraft. It is our experience that the legislature has resisted additional definitions beyond the FAA’s designations and adding another entity (a 3 political subdivision) that can subjectively determine what is a public safety concern will only create confusion. The national standard has worked well and as such, the current language should be struck</p> |  |
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|  | <p>and the following language inserted. C. The regulations may deny permission to take-off or land unmanned aircraft on property that is subject to current FAA airspace restrictions. Subsection D. The clause states that a political subdivision may “require the operator [of unmanned aircraft over 55lbs] to provide information prior to any take-off or landing, demonstrating the safety of the take-off and landing.” It is not clear where or how the required information will be shared, and whether the political subdivision will utilize experts who have knowledge and experience in in unmanned systems to interpret the information. Given the vague and subjective standards which will be used to determine whether the information is adequate to meet the regulatory requirement, this language should be struck. Subsection E. This clause is confusing in that it seems to indicate that a permit will be required for those areas the political subdivision designates as a property of increased concern for “public safety or risk to natures resources.” The implementing law for the regulation, Virginia Code 15.2-926.3 authorizes a political subdivision to create ordinances or regulations specific to the provisions of the statute but does not authorize permits. The language is concerning, not only because it exceeds the authority allowed by the statute, but also because it will result in a patchwork of differing laws across the localities. Further, this section fails to clarify the criteria by which permits will be granted and creates another avenue by which political subdivisions may ban (through the denial of a permit) UAS. Further, no guidance is provided on how an operator may appeal a political subdivision decision to deny a permit. As such, we ask that the current language should is stricken and the following inserted: E. No political subdivision may require a permit for the take-off and landing of unmanned aircraft on property owned by the political subdivision. Section F. We suggest moving this section to the list of exceptions currently listed under 24VAC5-20-440. 24VAC5-20-430 Procedure for adoption an ordinance or regulation. USAV remains concerned that the process outlined for adopting such regulations or ordinances is lacking in detail. For instance, under subsections C. and D. of 24VAC5-20-430, it is noted that any ordinance or regulation must be based on “findings of need for public safety enhancement protection or protection of specific natural resources.” Given that there are no defined perimeters for what a public safety enhancement protection may mean, the subjective 4 interpretation by each political subdivision</p> |  |
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|  | could result in an application of rule that is not uniform and may even be discriminatory. We thank you for this opportunity to provide public comment. USAV stands ready and willing to serve as a resource. |  |
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**Detail of Changes Made Since the Previous Stage**

*List all changes made to the text since the previous stage was published in the Virginia Register of Regulations and the rationale for the changes. For example, describe the intent of the language and the expected impact. Describe the difference between existing requirement(s) and/or agency practice(s) and what is being proposed in this regulatory change. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. \* Put an asterisk next to any substantive changes.*

| Current chapter-section number | New chapter-section number, if applicable | New requirement from previous stage  | Updated new requirement since previous stage   | Change, intent, rationale, and likely impact of updated requirements                              |
|--------------------------------|---|--|--|---|
| 24VAC5-20                      | 24VAC5-20-420                             | No subdivision shall regulate the take-off and landing of unmanned aircraft with a ready-for-take-off weight of less than 0.55 pounds, except on properties regulated pursuant to the authority in subsection B of this section. | No political subdivision shall regulate the take-off and landing of unmanned aircraft with a ready-for-take-off weight of less than 0.55 pounds, except on properties regulated pursuant to the authority in subsection B of this section. | Included the word political before subdivision to maintain consistency throughout the regulation. |

**Detail of All Changes Proposed in this Regulatory Action**

*List all changes proposed in this action and the rationale for the changes. For example, describe the intent of the language and the expected impact. Describe the difference between existing requirement(s) and/or agency practice(s) and what is being proposed in this regulatory change. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. \* Put an asterisk next to any substantive changes.*

| Current chapter-section number | New chapter-section number, if applicable | Current requirements in VAC | Change, intent, rationale, and likely impact of updated requirements                      |
|--------------------------------|---|-----------------------------|---|
|                                | 24VAC5-20-420 1-1                         |                             | Update definitions. Makes clear the intent of the regulation by defining necessary terms. |

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|  | 2-1 |  | The principal impact will be the avoidance of impacts of UAVs into other users of publicly owned properties. The rationale is to increase the safety to all users of public properties. That outcome is what is intended by the regulation.                                    |
|  | 3-1 |  | The rationale for the regulation is to increase the awareness of the public of proposed local regulations that may be adopted. The impact will be the increased ability of the public and of UAV operators to understand the specifics of the regulations that may be adopted. |
|  | 4-1 |  | The rational for the exceptions is the awareness of the exceptional benefits of UAS use in government operations, responding to emergencies, and other situations included in the exceptions.  |