



July 14, 2022

To Laura E. Gomez, the FAA, UAS Beyond Visual Line of Sight (BVLOS) ARC, and whomever else, it may concern,

The USPPA represents approximately 7500 current and former members who fly powered paragliders (AKA paramotors) in the United States. Since 2001, the mission of the USPPA has been to preserve, promote, and enhance the sport of powered paragliding. While our mission is primarily focused on the powered paragliding community, we recognize and acknowledge the rapid growth and interest in drones. We also recognize the importance of supporting the development and safe integration of the BVLOS drone industry.

We acknowledge that the BVLOS ARC report offers some good recommendations to the FAA that will promote the safe expansion of BVLOS drone operations. **However, the USPPA has significant concerns about the recommended right of way rules based on equipment or shielded operations. Such a change would certainly place unsafe burdens and unfeasible requirements** on not only powered paragliders, but also paragliders, hot air balloons, powered parachutes, ultralights, antique aircraft, agricultural operations, and many other aircraft that operate **regularly, safely**, and legally at the low altitudes and geographical locations envisioned in the ARC recommendations.

We believe this sweeping recommendation by the committee to recommend right of way rules, fails to recognize the reality of just how many aircraft routinely operate at lower altitudes. In a recent DronePro Update, even the FAA recognized the reality of aircraft operations at lower altitudes:

"The risk of midair collisions between drones and traditional aircraft is greatest when they both share the same airspace. The belief that traditional aircraft only operate at altitudes above 500 feet is a common misconception among drone pilots. The regulation that establishes the minimum flying altitude for traditional aircraft is published in 14 CFR 91.119. Except for takeoff and landing, most fixed-wing aircraft typically operate above 500 feet. However, this is not the case with helicopters. Helicopters often fly below 400 feet and routinely share the same airspace as their drone counterparts." (March 1, 2022)

In addition to helicopters, there are thousands of powered paragliders, paragliders, powered parachutes, and other ultralight aircraft flying at low altitudes every day in uncontrolled airspace. **The view that very few aircraft operate at low altitudes is simply not accurate.**



The USPPA also has significant concern with the BVLOS ARC leadership's recommendation to rely on ADS-B as a tool for collision avoidance and to use that line of thought for further justification for recommending these right of way rules. **ADS-B is unfeasible for powered paragliders and many other low altitude aircraft.** There is no provision in the current regulations that would even allow for a powered paraglider to use ADS-B. Furthermore, ADS-B was not originally designed for what the report is proposing and therefore should not be relied upon as an effective way to prevent a collision between a BVLOS drone and a powered paraglider.

The USPPA believes that all aviators have a shared responsibility to see and avoid other aircraft. Some of the recommendations in the final report seem to aim to distribute the collision avoidance responsibilities by making changes to right of way rules at low altitudes. We believe that these recommendations would NOT result in shared responsibility. In fact, we believe they would result in shifting the risk of collision avoidance to unwilling/unknowing individuals that are already **routinely** and **legally** flying safely at low altitudes.

In conclusion, the USPPA respectfully recommends the following:

1. The FAA should require uncrewed aircraft (BVLOS drones) to have some form of **see and avoid** capability similar to what is already available in consumer drones like Skydio.
2. Any potential changes to current regulations should meet a shared responsibility to see and avoid other aircraft (both manned and unmanned).
3. Right of way rules should be based on maneuverability, with no blanket right of way rules for BVLOS drones over manned aircraft without ADS-B.

Sincerely,

A handwritten signature in black ink, appearing to read 'Noah Rasheta', written in a cursive style.

USPPA / United States Powered Paragliding Association

Noah Rasheta, President
Alex Donaghy, Vice President
Brad Hill, Treasurer
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