

RESEARCH



Report No. UT-25.01

STATEWIDE DRONE REGISTRATION RULE DEVELOPMENT

Prepared For:

Utah Department of Transportation
Research & Innovation Division

**Final Report
December 2024**

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16. Abstract <p>The Division of Aeronautics (DOA) has been working toward a robust Advanced Air Mobility (AAM) and Unmanned Aerial Systems (UAS) Program that could benefit both state agencies and commercial partners/operators. Over the past few years, the DOA office has been working with Utah Lawmakers to develop a regulatory framework. A Statewide Drone Registration is part of the framework. Drone registrations will help support not only ministerial objectives but help support financial needs for infrastructure.</p> <p>Utah Lawmakers passed a drone registration bill in SB-24 of the 2023 Legislative Session. This bill gives the DOA authority to create rules for drone registration, collect registration fees, and manage the registration process. In January 2024 the DOA staff and UDOT's legislative analyst provided a draft of rules for public commenting and several comments and concerns on the first draft of the rules was received. Utah Lawmakers passed a bill—SB-135 of the 2024 Legislative Session—that pushed back the start date to collect drone registrations to January 1, 2025.</p> <p>This research performed outreach to the key stakeholders providing comment on the first set of draft rules. Based on input received during the outreach a new draft rule has been prepared and reviewed by a technical committee convened by UDOT's Aeronautics Division.</p> <p>This research topic is important to UDOT and Utah Lawmakers in that the DOA office is looking to expand their knowledge of this topic. It is also a priority for the Utah Legislature.</p>					
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LIST OF ACRONYMS

AAM	Advanced Air Mobility
FAA	Federal Aviation Administration
UAS	Unmanned Aerial System
UDOT	Utah Department of Transportation

EXECUTIVE SUMMARY

The Division of Aeronautics (DOA) has been working toward a robust Advanced Air Mobility (AAM) and Unmanned Aerial Systems (UAS) Program that could benefit both state agencies and commercial partners/operators. Over the past few years, the DOA office has been working with Utah Lawmakers to develop a regulatory framework. A Statewide Drone Registration is part of the framework. Drone registrations will help support not only ministerial objectives but help support financial needs for infrastructure.

Utah Lawmakers passed a drone registration bill in SB-24 of the 2023 Legislative Session. This bill gives the DOA authority to create rules for drone registration, collect registration fees, and manage the registration process. Key elements of the initial draft rule included annual registrations which were set to cost \$15/aircraft with a maximum gross operating weight of <55 lbs.; and, \$100 per aircraft for aircraft with a maximum gross operating weight ≥55lbs.

In May 2023 the DOA staff and UDOT's legislative analyst provided a draft of rules for public commenting (Appendix A), and several comments and concerns on the first draft of the rules were received. Utah Lawmakers passed a bill (SB-135 of the 2024 Legislative Session) that pushed back the start date to collect drone registrations to January 1, 2025.

This research performed outreach to key industry stakeholders providing comment on the first set of draft rules. Based on input received during the outreach a new draft rule has been prepared and reviewed by a technical committee convened by UDOT's Aeronautics Division (Appendix B).

1.0 INTRODUCTION

1.1 Problem Statement

The Division of Aeronautics (DOA) has been working toward a robust Advanced Air Mobility (AAM) and Unmanned Aerial Systems (UAS) Program that could benefit both state agencies and commercial partners/operators. Over the past few years, the DOA office has been working with Utah Lawmakers to develop a regulatory framework. A Statewide Drone Registration is part of the framework. Drone registrations will help support not only ministerial objectives but help support financial needs for infrastructure. There currently is no Rule for Drone Registration that can be implemented by the State of Utah and this research project has been initiated to redraft a Drone Registration Rule toward making the commercial drone registry a reality in Utah.

Utah Lawmakers passed a drone registration bill in SB-24 of the 2023 Legislative Session. This bill gives the DOA authority to create rules for drone registration, collect registration fees, and manage the registration process. The DOA staff and UDOT's legislative analyst provided a draft of rules for public commenting. There were several that commented and provided concerns about the first draft of rules. Utah Lawmakers passed a bill (SB-135 of the 2024 Legislative Session) that pushed back the start date to collect drone registrations to January 1, 2025. The DOA office was asked to review the first draft of rules and develop a revised drone registration rule after reaching out to industry stakeholders to understand their concerns and issues.

1.2 Objectives

This research topic is important to UDOT and Utah Lawmakers in that the DOA office is looking to expand their knowledge of this topic. It is also a priority for the Utah Legislature.

1.3. Scope

The scope of work consists of four tasks, as follows:

Task 1: Project Management:

- Conduct meeting(s) of a Technical Advisory Committee (TAC) convened by UDOT. The Consultant will summarize TAC meetings in an email afterward for circulation, action items highlighted.
- Project management also includes ongoing communication with the UDOT Project Champion and UDOT Research PM, invoicing and intra-team communications.

Task 2: Outreach:

- Meet onsite or, as appropriate, virtually, with industry representatives to discuss drone rulemaking for the purpose of addressing industry concerns. The UDOT Project Champion will provide a list and contact information for the industry representatives to be contacted.
- As appropriate, outreach may include discussions with appropriate FAA professionals or staff from other DOTs that have advanced drone registrations in their states.
- The research team will summarize the outreach task in a brief technical memorandum to be submitted to the UDOT Project Champion and PM, to be distributed to the TAC as appropriate.

Task 3: Drone Registration Rule Development

- Starting with the preliminary rule developed by UDOT, the research team drafted a subsequent drone registration rule, incorporating input gained from Task 2.
- The revised drone registration rule will address the following items:
 - Registration requirements –
 - Purpose
 - Weight
 - Manufacturer and model
 - Maximum gross operating weight
 - FAA registration number
 - Registration fee(s)
 - Renewal period
 - Enforcement guidelines and UDOT notification responsibilities
- The research team will summarize Task 3 in the form of a revised draft Drone Registration Rule to be submitted to the UDOT Project Champion and PM and distributed to the TAC.

Task 4: Submittal of Draft and Final Notice of Proposed Rule:

- The research team will prepare a Draft Notice of Proposed Rule for review by the UDOT Project Champion and, as appropriate, the UDOT Legislative Liaison and UDOT's Legal team. The draft proposed rule will be submitted in an appropriate UDOT template for this purpose.
- The research team will work with UDOT's Division of Aeronautics personnel to prepare a final Notice of Proposed Rule after receiving input from reviewers.

1.4 Outline of Report

The report consists of four sections:

- Introduction
- Stakeholder Outreach
- Discussion of Rule Revisions
- Recommendations and Implementation

2.0 Stakeholder Outreach

2.1 Overview

This section summarizes the interviews conducted with 8 industry leaders and stakeholders. This list of contacts was developed through input from the UDOT Project Champion and from a list of stakeholders who provided written comment on the initial draft Drone Registration Rule, which comments were obtained from UDOT's Legislative Liaison.

2.2 Interview Summaries

2.2.1 Interviewee #1

This interviewee is a senior staff professional with a commercial drone company.

2.2.1.1 Concerns:

There were two main concerns expressed: 1) many of the firms in their market space operate drones that are >55lbs and therefore the proposed \$100 annual fee would prove burdensome to the economics of their business; and 2) most, if not all, of the firms operating in their market space foresee no need for public infrastructure for their operations. All operations currently, and for the foreseeable future, occur on private property.

2.2.1.2 Suggestions:

This interviewee could understand the need for publicly provided infrastructure for larger UAV aircraft, such as those for carrying large payloads and passengers. Some of these aircraft may use public airports and related air infrastructure and therefore would place a demand on electrical charging infrastructure and operating spaces such as ramps or vertical take-off platforms. Targeting these larger aircraft would make sense for this reason. This interviewee also noted that the 55lb. threshold will likely disappear with the anticipated new FAA Section 108 ruling.

2.2.2 Interviewee #2

This interviewee is a senior program manager of an aerospace trade group.

2.2.2.1 Concerns:

This interviewee expressed concern that imposing an annual registration fee would be onerous to the industry and stifle innovation. Charging a fee would diminish the growth of the industry in Utah. Further, since the FAA is already registering the same aircraft, there is double registering that would take place.

Other concerns related to the stated purpose of the drone registration rule, namely, "...to establish a registration fee for an unmanned aircraft system and an advanced air mobility system, and to provide for the administration of that registration fee." The interviewee felt that an explicit description of the benefits that would be gained by the private sector through payment of fees would be especially helpful, if there were specific safety benefits that the State could provide through infrastructure or insurance.

2.2.2.2 Suggestions:

This interviewee suggested that UDOT obtain drone registration information from the FAA (which requires registration of commercial drones every 3 years for a fee of \$5). It was felt that the same information is required by FAA as what is being sought by UDOT, and keeping the data up to date through the federal data system would serve UDOT's needs.

In addition, the suggestion was made to launch the registration process with no fee to ease the registration process at the start of the Registry, and perhaps to introduce fees after the Registry is established and as infrastructure needs and costs become clear.

2.2.3 Interviewee #3

This interviewee is a professional airline pilot who is very active in search-and-rescue operations in Utah.

2.2.3.1 Concerns:

This interviewee expressed concern that the proposed fee was so much higher than the federal amount. They mentioned that several public and not-for-profit entities have drone fleets with dozens and in some cases hundreds of aircraft, and the proposed annual registration expenditure would be burdensome on these budgets. They also pointed out that the proposed high fees might cause commercial drone operators to avoid the registration process entirely.

Another concern expressed related to drones coming from out of state to operate in Utah. There will likely be challenging enforcement issues for the state around drones/drone fleets crossing state borders for operations, and there may be a need for an exemption in these cases.

This interviewee also expressed concern about SB135 Part 11, dealing with the leasing of airspace, which they cited as being the province of FAA. This issue is not strictly within the scope of the Drone Registration Rule but added here to communicate the breadth of concerns from the industry.

2.2.3.2 Suggestions:

This interviewee felt that the purpose of the Drone Registration Rule needs to be strengthened to reflect the need to invest in safety and security infrastructure.

2.2.4 Interviewee #4

This interviewee is a commercial drone operator with a fleet of over 850 drones (<55lb.).

2.2.4.1 Concerns:

This interviewee expressed concern that the proposed registration fee would create an unfair business environment for Utah companies versus out-of-state companies bidding on work here. The registration process and fee would also create incentives to move operations to another state.

There are also concerns on how to enforce the registration requirement and the penalties associated with non-compliance.

2.2.4.2 Suggestions:

This interviewee thought it was critical that out-of-state drones be required to register as well to create a level economic playing field. They also suggested that the fee apply up to a specific number of drones and then be free thereafter so as not to penalize firms with large fleets.

2.2.5 Interviewee #5

This interviewee is a commercial drone operator with a fleet of over 850 drones (<55lb.).

2.2.5.1 Concerns:

This interviewee expressed concern about redundant registration – at the federal level and at the state level. As with other interviewees, concerns about the amount of the fee were raised, especially as they would affect his ability to provide drones for students and students' abilities to afford the drone pilot certification process.

2.2.5.2 Suggestions:

This interviewee felt that the purpose of the Drone Registry needed to be improved from its current drafting. Also, they suggested that larger drones that could be included within the Advanced Air Mobility (AAM) category might be a better target for requiring fees since these are most likely to be needing public infrastructure in the future. Most, if not all, private

commercial drones are currently in the UAS category and not needing public infrastructure at this time.

2.2.6 Interviewee #6

This interviewee is a senior staff professional at a UAS trade organization.

2.2.6.1 Concerns:

This interviewee was concerned that the proposed fees would encumber the industry and create barriers to innovation. This will become increasingly the case as commercial operators seek to scale up their operations.

They also cited that the FAA is already requiring commercial drone registration at a considerably lower fee.

2.2.6.2 Suggestions:

This interviewee suggested that UDOT access drone registration information from the FAA commercial drone registry. This could be done with some type of intergovernmental agreement enabling the sharing of information and would help establish Utah's drone registry.

They recommended that the benefits of the Drone Registration process be described so that commercial drone operators had a better idea of what benefits they would be getting for complying with the requirement. Businesses complying with the rule want to understand what justifies the registration requirement – what type of infrastructure will the state be providing and what benefits, safety or otherwise, will accrue to the user community?

They also suggested that the 55lb threshold would likely be outdated after FAA Section 108 rulemaking is established, which will do away with the 55lb weight distinction.

2.2.7 Interviewee #7

This interviewee is an Executive Director of a national commercial drone trade group with a special focus on federal regulations.

2.2.7.1 Concerns:

This interviewee typically deals with federal regulation and is thus more engaged with FAA and FAA rulemaking, including Section 108. Their trade organization has many members who expressed concern about the Utah proposed drone registration rule, and thus the organization submitted a letter of comment on the proposed Drone Registration Rule.

The group is concerned about the economic disincentives the proposed fee would impose on Utah's emerging UAS industry. They cited the large disparity between the fee charged for federal registration and the proposed fees in Utah.

The group also expressed concern about potential pre-emption of FAA National Airspace System jurisdictions.

2.2.7.2 Suggestions:

If obtaining registration data from the FAA is a potential approach to drone registration in Utah, the State of Utah might have to enter into a special agreement to access all or part of the registration data. Also, registrants to the FAA site might need to agree to a stipulation of data sharing.

The interviewee also said that, if the objective was simply to create a list of drones operating in Utah, a de minimis fee of \$0.01 should be considered as a starting point.

2.2.8 Interviewee #8

This interviewee is an engineering professor at a state university.

2.2.8.1 Concerns:

This interviewee feels that the potential for duplicate registrations – at the state and at the federal levels – would be burdensome. They also mentioned that the purpose of the rule could be strengthened to mention supporting development of safety infrastructure.

2.2.8.2 Suggestions:

This interviewee suggested aligning the state registration period with that of the federal registration period, namely once every three years, would be a worthwhile efficiency and lessen the paperwork burden. They also suggested targeting heavier aircraft in the AAM category, which aircraft have a much higher likelihood of using state airport facilities.

2.2.9 Other Outreach

The research team also reached out to FAA and other state DOTs to learn more about commercial drone registration. This outreach is summarized in this section.

2.2.9.1 Federal Aviation Administration

Efforts to reach specific individuals within FAA by email were unresponded to. The FAA "DroneZone" webpage provides the ability to contact the FAA Support Center. This was initiated with the query as follows: "We are working for Utah DOT on a Commercial Drone

Registration Rule. It has been pointed out that FAA requests very similar information from commercial drone operators as part of the FAA Drone Registration process. ... can the Utah Dept of Transportation access the FAA commercial drone registration database in order to obtain an up-to-date record of commercial drones registered in Utah? This would be a great efficiency for UDOT, rather than initiating a new registration process in the state. Thank you.”

A response from FAA was received as follows: “Apologies for the delayed response on this. We did check in with the Aircraft Information Branch information steward when we received your request. The short answer is, no. We did have another state DOT ask a similar question through the FAA regional office, and we advised the best course of action would likely be to submit a FOIA request for registration information within the state minus any PII <https://www.faa.gov/foia>.”

2.2.9.2 Oregon DOT

The research team interviewed Kenji Sugahara of the Oregon DOT Division of Aeronautics. ODOT combines aircraft and drone registration administratively, which simplifies administration and record keeping. Fees for drone registration are \$25 for aircraft <55lbs and \$50 for 50lbs and greater.

The fee revenues are directed to “provide airport improvements and maintenance at public use airports...as well as provide aviation system planning...” Regarding investments in infrastructure, the direction being taken by ODOT is to invest in infrastructure that benefits both general aviation and commercial drone aircraft. Such investments could include weather systems and radar systems enabling situational awareness in high aircraft concentration zones.

One of the biggest problems with the registry is out-of-state drones that operate in airspace over Oregon. There is no good system to register these aircraft, and it remains a loophole in the registration system.

2.2.9.3 Minnesota DOT

Minnesota DOT also combines commercial drone registration with aircraft registration generally. The registration program has been in existence since 2016 and initially charged \$100 annually. The fee has been reduced to \$25/aircraft today.

As the program has matured, specific problems have emerged. For example, very large commercial-drone-fleet operators are looking for a different type of registration process that aims to reduce the burden on their companies. Also, enforcing compliance with the registration requirement has been very spotty and the DOT is aware of a lot of non-compliance.

2.3 Summary

This section reported on the outreach interviews to 8 industry stakeholders, ranging from private firms to trade organizations to academics to understand their concerns regarding the

Drone Registration Rule. Interviewees were also asked for suggestions on developing a modified Drone Registration Rule.

The concerns focused on two main issues:

- The amount of the fees was most widely cited as the biggest concern, being an annual fee and also higher than the fee charged by FAA in their registration process. The general sense is that the suggested fees would discourage innovation and the growth of the industry in Utah.
- The purpose of the Drone Registration Rule was cited by several interviewees as needing strengthening. Supportive language could include references to improving safety and security as well as to build a revenue stream for public infrastructure supportive of the industry.

Secondarily, interviewees cited the duplicative registration processes as being burdensome from an administration standpoint.

There were several suggestions of note, which are summarized here:

- 1) Obtaining the list and related information on Utah drones registered at the FAA as a way to begin developing the Registry in Utah. This can be updated annually based on updates to the FAA database.
- 2) Aligning the Utah registration process with that of the FAA (i.e., once every three years).
- 3) Charging a de minimis fee as a starting point (e.g., \$0.01 to \$1/aircraft) with the notion that fees may increase in the future as supporting infrastructure projects take shape.
- 4) Focusing fees on those types of Advanced Air Mobility aircraft that would most likely require public infrastructure. These would be larger and heavier aircraft with larger payloads, including passengers.

3.0 DISCUSSION OF RULE REVISIONS

3.1 Overview

On September 25, 2024, the research team presented a summary of the stakeholder outreach to the Technical Advisory Committee. The meeting's discussion centered around the key points raised in the stakeholder meetings, most relevant among them being the rule's Purpose Statement, the fee, and the registration period.

3.2 Discussion Summary

The key issues that came out in the stakeholder interviews were raised and discussed. Highlights of the discussion follow.

3.2.1 Information Sharing with FAA

A suggestion for UDOT in initiating the Utah Commercial Drone Registry is to do so by asking FAA to share their information for drones registered in Utah. This was not thought to be a productive route for building the registry. Similar requests have been made of FAA in the past and the response has been to file a Freedom of Information Act (FOIA) request. Generally, the experience of information sharing with FAA has not been a productive one other than providing summary numbers.

3.2.2 Fee

Most of the stakeholder comments pertained to the proposed fee. Some type of fee is a requirement of the law, but the law does not set the fee. Most stakeholders felt the fee was too high and would stifle innovation.

One option discussed was to mirror the FAA requirement of a \$5 fee, paid every three years. The overall sense of the discussion was that registration is very common in aviation and requiring annual efforts toward registration should not be considered unduly burdensome.

There was general agreement that a fee schedule based on drone weight made sense but having a flat fee might be the best way to initiate the program. The weight breakpoints in the original draft registration rule – at 50lbs – may not make sense going forward as the upcoming FAA Section 108 rules may be doing away with this distinction or otherwise modifying the weight breakpoints.

There was also discussion to cap off the total fee amounts paid by any one commercial drone operator to address the concerns of companies with very large drone fleets (e.g., >100 aircraft).

Another suggestion was to attach the registration fee to the aircraft bluebook value (i.e., a specified % of the bluebook value).

3.2.3 Term of Registration

Information from the interviews suggested that a streamlined state registration process would coincide with the three-year-registration period required by the FAA for drone registrations. One reaction to this is that enterprise drone fleets get retired within a three-year period. In reaction to this is the fact that registrations for automobiles are annual, so it's an obvious term to abide by.

3.2.4 Use of Registration Fee Revenues

There is a general idea that fees from commercial drone registrations should be directed to a general fund for infrastructure supporting drone aviation. One area of investment surrounds digital deconfliction to manage the airspace around drone concentration areas. It is anticipated that FAA would mandate this type of infrastructure at some point in the future. The registration fee revenues would provide the basis for a user-funded system.

4.0 CONCLUSIONS

4.1 Summary

The proposed revised drone registration rule is provided in Appendix B. Key elements of the rule which differ from the original proposal are:

- \$5 annual fee
- Annual registration
- Revised Purpose Statement (R914-5-1) to explicitly cite the use of revenues for supporting advanced air mobility and Unmanned Aircraft Systems.

5.0 RECOMMENDATIONS AND IMPLEMENTATION

5.1 Recommendations and Implementation

The revised drone registration rule is provided in Appendix B. It is recommended that this rule be advanced to UDOT's legislative staff for further review and approval. Following this, the rule moves to UDOT's Transportation Commission for a final review before UDOT's Executive Director approves. Thereafter, the rule is forwarded to the Office of Administrative Rules, then to the Governor, after which there is a 30-day comment period.

APPENDIX A: ORIGINAL DRAFT DRONE REGISTRATION RULE, MAY 2023

State of Utah
Administrative Rule Analysis
Revised May 2023

NOTICE OF PROPOSED RULE		
TYPE OF FILING: New Rule		
Title No. - Rule No. - Section No.		
Rule or Section Number:	R914-5	Filing ID: Office Use Only

Agency Information

1. Department:	Transportation	
Agency:	Transportation, Operations, Aeronautics	
Room no.:	Administrative Suite, 1st floor	
Building:	Calvin Rampton	
Street address:	4501 South 2700 West	
City, state and zip:	Taylorsville, Utah	
Mailing address:	P.O. Box 148455	
City, state and zip:	Salt Lake City, Utah 84114-8455	
Contact person(s):		
Name:	Phone:	Name:
Leif Elder	801-580-8296	lelder@utah.gov
Becky Lewis	801-965-4026	blewis@utah.gov
James Godin	801-573-7181	jamesjgodin@agutah.gov
Lori Edwards	385-341-3414	loriedwards@agutah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:	R914-5. Advanced Air Mobility Aircraft Registration.	
3. Purpose of the new rule or reason for the change:	UDOT proposes this new rule to establish a registration fee for an unmanned aircraft system and an advanced air mobility system, and to provide for the administration of that registration fee. This new rule is required by 2023 SB 24.	
4. Summary of the new rule or change:	This new rule establishes a registration and application process for aircraft that are part of an unmanned aircraft system or advanced air mobility system and that are used for commercial operations described under 14 C.F.R. Part 107 or 135.	

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:		
A) State budget:	There is no anticipated substantial cost or savings to the state budget. However, pursuant to 72-10-110(7), after deducting the costs of administering aircraft inspections under this rule, UDOT shall deposit all remaining registration fees into the Aeronautics Restricted Account, created by Section 72-2-126.	
B) Local governments:	There is no anticipated cost or savings to local governments, as this rule only pertains to commercial aircraft that are part of an advanced air mobility system or an unmanned aircraft system.	
C) Small businesses ("small business" means a business employing 1-49 persons):		

This rule may have a slight fiscal impact on small businesses that leverage advanced air mobility systems or unmanned aircraft systems for commercial purposes because this rule includes a registration fee for operating those aircraft.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

This rule may have a slight fiscal impact on non-small businesses that leverage advanced air mobility systems or unmanned aircraft systems for commercial purposes because this rule includes a registration fee for operating those aircraft.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

This rule may have a slight fiscal impact on persons that leverage advanced air mobility systems or unmanned aircraft systems for commercial purposes because this rule includes a registration fee for operating those aircraft.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

For persons registering an aircraft under this rule with a maximum gross operating weight of less than 55 pounds, compliance with this rule costs \$15. For persons registering an aircraft under this rule with a maximum gross operating weight of 55 pounds or more, compliance with this rule costs \$100.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head comments on fiscal impact and approval of regulatory impact analysis:

The Executive Director of the Department of Transportation, Carlos M. Braceras, P.E., has reviewed and approved this regulatory impact analysis.

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 72-10-102	Section 72-10-109	Section 72-10-110

Incorporations by Reference Information

7. Incorporations by Reference (if this rule incorporates more than two items by reference, please include additional tables):

A) This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to the Office of Administrative Rules; *if none, leave blank*):

Official Title of Materials Incorporated (from title page)	
Publisher	
Issue Date	
Issue or Version	

B) This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to the Office of Administrative Rules; <i>if none, leave blank</i>):	
Official Title of Materials Incorporated (from title page)	
Publisher	
Issue Date	
Issue or Version	

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)		
A) Comments will be accepted until:		Click or tap to enter a date.
B) A public hearing (optional) will be held:		
Date (mm/dd/yyyy):	Time (hh:mm AM/PM):	Place (physical address or URL):
To the agency: If more space is needed for a physical address or URL, refer readers to Box 4 in General Information. If more than two hearings will take place, continue to add rows.		

9. This rule change MAY become effective on:	Click or tap to enter a date.
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

Agency Authorization Information

To the agency: Information requested on this form is required by Sections 63G-3-301, 63G-3-302, 63G-3-303, and 63G-3-402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the <i>Utah State Bulletin</i> and delaying the first possible effective date.			
Agency head or designee and title:	Carlos M. Braceras, P.E. Executive Director	Date:	Click or tap to enter a date.

R914. Transportation, Operations, Aeronautics.

R914-5. Advanced Air Mobility Aircraft Registration.

R914-5-1. Purpose and Authority.

_____ The purpose of this rule is:

_____ (1) to establish a registration fee for an unmanned aircraft system and an advanced air mobility system as provided in Sections [72-10-109](#) and [72-10-110](#); and

_____ (2) to provide for the administration of that registration fee.

R914-5-2. Definitions.

_____ As used in this rule:

_____ (1) "Advanced air mobility system" means the same as that term is defined in Section [72-10-102](#).

_____ (2) "Aircraft" means the same as that term is defined in Section [72-10-102](#).

(3) "Maximum gross operating weight" means the maximum certified weight determined by the manufacturer at which the aircraft may operate, including everything that is on board or otherwise attached to the aircraft.

(4) "Public aircraft" means the same as that term is defined in Section 72-10-102.

(5)(a) "Qualifying aircraft" means an aircraft that is:

(i) part of an advanced air mobility system or an unmanned aircraft system; and

(ii) used for commercial operation for which certification is required under 14 C.F.R. Part 107 or 135.

(b) "Qualifying aircraft" does not include:

(i) a public aircraft;

(ii) an aircraft that is subject to property tax under Title 59, Chapter 2, Property Tax Act;

(iii) an aircraft owned by a Utah institution of higher education or technical college unless the aircraft is used to carry persons or goods for commercial purposes;

(iv) an aircraft which is owned by a nonresident and registered out of state, if the aircraft remains in the state for a period less than 90 days; or

(iv) aircraft used exclusively for hobby or recreation.

(6) "Unmanned aircraft system" means the same as that term is defined in Section 72-10-102.

R914-5-3. Registration Requirement–Application–Fee.

(1)(a) A person may not operate a qualifying aircraft in this state unless the qualifying aircraft has a current certificate of registration issued by the department as provided in Section 72-10-109.

(b) A certificate of registration must be renewed annually with the department.

(2) To receive an original certificate of registration for a qualifying aircraft or renew an existing certificate of registration, a person shall submit an application to the department as provided in this rule.

(3) An application for aircraft registration under this rule shall contain:

(a) a description of the aircraft, including:

(i) manufacturer;

(ii) model;

- (iii) current Federal Aviation Administration registration number; and
- (iv) maximum gross operating weight;
- (b) the legal name and address of each owner of the qualifying aircraft;
- (c) the legal name and address of the person responsible for payment of the registration fee; and
- (d) the location where the aircraft is usually used and the storage location of the aircraft when not in use.

(4) As part of the application, an applicant shall include a registration fee as follows:

- (a) \$15 for an aircraft with a maximum gross operating weight less than 55 pounds; or
- (b) \$100 for an aircraft with a maximum gross operating weight of 55 pounds or more.

(5) The department may send a notice to businesses that are reasonably likely to own and operate a qualifying aircraft informing the business that they may own an aircraft that is subject to registration under this rule.

(6) The department, or its agent, may conduct compliance audits and inspections as needed to enforce applicable state laws and rules related to aircraft registration under this rule.

(7) The department may suspend or revoke a registration described in this rule due to a failure to comply with federal or state aviation laws, rules, or regulations.

APPENDIX B: REVISED DRAFT DRONE REGISTRATION RULE, SEPTEMBER 2024

State of Utah
Administrative Rule Analysis
Revised September 2024

NOTICE OF PROPOSED RULE		
TYPE OF FILING: New Rule		
Title No. - Rule No. - Section No.		
Rule or Section Number:	R914-5	Filing ID: Office Use Only

Agency Information

1. Department:	Transportation	
Agency:	Transportation, Operations, Aeronautics	
Room no.:	Administrative Suite, 1st floor	
Building:	Calvin Rampton	
Street address:	4501 South 2700 West	
City, state and zip:	Taylorsville, Utah	
Mailing address:	P.O. Box 148455	
City, state and zip:	Salt Lake City, Utah 84114-8455	
Contact person(s):		
Name:	Phone:	Name:
Leif Elder	801-580-8296	lelder@utah.gov
Becky Lewis	801-965-4026	blewis@utah.gov
James Godin	801-573-7181	jamesjgodin@agutah.gov
Lori Edwards	385-341-3414	loriedwards@agutah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R914-5. Advanced Air Mobility Aircraft Registration.
3. Purpose of the new rule or reason for the change:
UDOT proposes this new rule to establish a registration fee for an unmanned aircraft system and an advanced air mobility system, and to provide for the administration of that registration fee. This new rule is required by 2023 SB 24.
4. Summary of the new rule or change:
This new rule establishes a registration and application process for aircraft that are part of an unmanned aircraft system or advanced air mobility system and that are used for commercial operations described under 14 C.F.R. Part 107, 108, and any other small UAS definitions provided by FAA in the future, or 135.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no anticipated substantial cost or savings to the state budget. However, pursuant to 72-10-110(7), after deducting the costs of administering aircraft inspections under this rule, UDOT shall deposit all remaining registration fees into the Aeronautics Restricted Account, created by Section 72-2-126.
B) Local governments:
There is no anticipated cost or savings to local governments, as this rule only pertains to commercial aircraft that are part of an advanced air mobility system or an unmanned aircraft system.
C) Small businesses ("small business" means a business employing 1-49 persons):

This rule may have a slight fiscal impact on small businesses that leverage advanced air mobility systems or unmanned aircraft systems for commercial purposes because this rule includes a registration fee for operating those aircraft.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

This rule may have a slight fiscal impact on non-small businesses that leverage advanced air mobility systems or unmanned aircraft systems for commercial purposes because this rule includes a registration fee for operating those aircraft.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an *agency*):

This rule may have a slight fiscal impact on persons that leverage advanced air mobility systems or unmanned aircraft systems for commercial purposes because this rule includes a registration fee for operating those aircraft.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

For persons registering an aircraft under this rule, compliance with this rule costs \$5 per aircraft.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head comments on fiscal impact and approval of regulatory impact analysis:

The Executive Director of the Department of Transportation, Carlos M. Bracerias, P.E., has reviewed and approved this regulatory impact analysis.

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 72-10-102	Section 72-10-109	Section 72-10-110

Incorporations by Reference Information

7. Incorporations by Reference (if this rule incorporates more than two items by reference, please include additional tables):

A) This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to the Office of Administrative Rules; *if none, leave blank*):

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Agency head or designee and title:	Carlos M. Braceras, P.E. Executive Director	Date:	Click or tap to enter a date.

R914. Transportation, Operations, Aeronautics.

R914-5. Advanced Air Mobility Aircraft Registration.

R914-5-1. Purpose and Authority.

 The purpose of this rule is:

 (1) to establish a registration fee for an unmanned aircraft system and an advanced air mobility system as provided in Sections [72-10-109](#) and [72-10-110](#);

 (2) to provide for the administration of that registration fee; and

 (3) to generate revenues for supporting advanced air mobility and unmanned aircraft systems as provided in Section [72-2-126 \(4\)\(b\)\(ii\)](#).

R914-5-2. Definitions.

 As used in this rule:

 (1) "Advanced air mobility system" means the same as that term is defined in Section [72-10-102](#).

 (2) "Aircraft" means the same as that term is defined in Section [72-10-102](#).

(3) "Maximum gross operating weight" means the maximum certified weight determined by the manufacturer at which the aircraft may operate, including everything that is on board or otherwise attached to the aircraft.

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(5)(a) "Qualifying aircraft" means an aircraft that is:

(i) part of an advanced air mobility system or an unmanned aircraft system; and

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(3) An application for aircraft registration under this rule shall contain:

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(ii) model;

- (iii) current Federal Aviation Administration registration number; and
- (iv) maximum gross operating weight;
- (b) the legal name and address of each owner of the qualifying aircraft;
- (c) the legal name and address of the person responsible for payment of the registration fee; and
- (d) the location where the aircraft is usually used and the storage location of the aircraft when not in use.
- (4) As part of the application, an applicant shall include a registration fee of \$5 per aircraft.
- (5) The department may send a notice to businesses that are reasonably likely to own and operate a qualifying aircraft informing the business that they may own an aircraft that is subject to registration under this rule.
- (6) The department, or its agent, may conduct compliance audits and inspections as needed to enforce applicable state laws and rules related to aircraft registration under this rule.
- (7) The department may suspend or revoke a registration described in this rule due to a failure to comply with federal or state aviation laws, rules, or regulations.