



July 5, 2023

New York City Police Department
One Police Plaza,
Room 1406, New York, NY 10038
c/o Agency Attorney Melanie Braverman

RE: Response on Proposed NYPD Rules and Permitting for Unmanned Aircraft

Dear NYPD Legal Bureau and NYPD Acting Commissioner Caban:

The Academy of Model Aeronautics (AMA) is both encouraged by the NYPD's attention to safety and security, and we are also understanding of the interests of both commercial and recreational remote control aircraft operators. AMA believes the proposed rules, "to create a procedure by which members of the public may submit applications to launch or land an unmanned aircraft," require some modification.

New York City based model aircraft clubs have been highly involved in the educational, family oriented, and community-based activity of model aviation for over a century! The first model aircraft club in the United States was established by Emma Lilian Todd, who started the Junior Aero Club in her New York City apartment in 1908, to foster the education of future aviators. Fast forward through the decades and model aviation has always been an important educational activity for New York City residents.

There are few activities that capture the imagination of a young person and combine both creativity of the mind with dexterity of the hands, as does building and flying model aircraft. With a society focused on portable devices and fewer hands-on learning experiences, education through model aviation provides a unique and highly rewarding educational platform for youth and adults. A high percentage of our country's pilots and aviation professionals got their start in hands-on model aviation activities in their youth.

While the proposed rules procedure provides an exemption for model aircraft flown at areas designated by the NYC Department of Parks and Recreation, the proposal overlooks recreational flying activity at other city locations where the activity occurs with permitting from other governmental agencies.

One of NYC's model aircraft clubs, The Pennsylvania Avenue Radio Control Society (PARKS) has operated at Floyd Bennet Field in the Gateway National Recreation Area in Brooklyn for many decades.

PARKS follows a rigid set of safety protocols, known as the AMA - National Model Aircraft Safety Code, and like other AMA clubs, PARKS and its members are insured by AMA. The PARKS club also has ongoing agreements with the NYPD Aviation Unit (also located at Floyd Bennit Field), local air traffic control, and other FAA representatives in the area. PARKS has a permit from the National Park Service to operate at their designated area. In view of the unique location of the PARKS club, located in a national park that lies within the New York City limits, and to remove future ambiguities, language must be added to the final rule that excludes from any of the NYPD permitting requirements or rules within the proposal: "...take-off or landing that occurs in an area designated by the NYC Department of Parks and Recreation, The New York State Office of Parks, Recreation and Historic Preservation, or the National Park Service..."

In addition to AMA's concerns to maintain model aircraft operations for the benefit of New York City and its residents, AMA suggests that the proposed rule include language that recognizes existing federal law. As others have commented, NYPD regulations should not run contrary to federal law. To do so not only create contrary laws and regulations it also creates confusion among law abiding citizens. To this end, AMA would suggest additional language in the regulation that provided an exception to the required permit and other provisions of the regulation: "when unmanned aircraft are operating within the programming of an FAA recognized community-based organization and within the provisions of U.S.C.44809. "

While we thank the NYPD for their attention to the city's safety, it is important to reflect on recent history. The specter of unregulated, careless drone flying has dwindled. Reports of sightings and incidents are a fraction of what they were five years ago. For the most part, clueless or careless operators have learned their lesson. The general public gets it! And as we know, criminals do not abide by laws or regulations. AMA would suggest a greater emphasis on education before regulation, and any regulation should be focused on the nefarious operator.

Established in 1937, AMA is the nation's first federally recognized community-based organization for model aircraft, representing nearly 200,000 members. AMA has worked with hundreds of federal, state, and local public officials in numerous capacities as both subject matter experts and in representing the recreational model aircraft community. AMA remains ready to assist the NYPD in any way.

AMA, its clubs and its members thank Acting Commissioner Caban and the NYPD for the opportunity to comment.



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