

Guidelines for planning and conducting flight activities with unmanned aircraft (drones, UAS, model airplanes) in the national / European airspace, after 31.12.2020

The provisions of Regulation (EU) No. 2019/947 “on the rules and procedures for the operation of unmanned aircraft”, with subsequent amendments and completions are applicable on the territory and airspace of the EU Member States from 31.12.2020.

The European legislative framework applicable to flight activities involving unmanned aircraft consists of:

a) **Regulation (EU) No. 2018/1139** of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing the European Union Aviation Safety Agency amending Regulations (EC) No. 2111/2005, (EC) No. 1008/2008, (EU) No. 996/2010, (EU) No. 376/2014 and Directives 2014/30 / EU and 2014/53 / EU of the European Parliament and of the Council, as well as repealing Regulations (EC) No. 552/2004 and No. 216/2008 of the European Parliament and of the Council and Regulation (EEC) No. 3922/91 of the Council;

b) **Commission delegated Regulation (EU) No. 2019/945** of 12 March 2019 on unmanned aircraft systems and on third-country operators of unmanned aircraft systems, as subsequently amended and supplemented;

c) **Commission Implementing Regulation (EU) No 2019/947** of 24 May 2019 on the rules and procedures for the operation of unmanned aircraft, as subsequently amended and supplemented;

d) **AMC and GM to Regulation (EU) No. 2019/947.**

As regards the planning and performance of flight activities with unmanned aircraft in the national airspace of Romania, taking into account the provisions of para. 33 of the preamble of Regulation (EU) No. 2018/1139, in addition to the provisions of the European normative acts mentioned above, the following national normative acts also apply:

a) **Law No. 21 / 18.03.2020** on the **Romanian Air Code**, March 2020 edition;

b) **Government Decision No. xx / 2021** for the approval of the procedure for the authorization of aircraft flights in the national airspace (pending issuance);

c) **Order of the Minister of Transport (OMT) No. 1338/2016** for the approval of the Romanian Civil Aviation Regulation RACR-IA "Registration of civil aircraft", Issue 1/2016;

UAS operations (category)	Conditions for conducting UAS operations	Legal provisions	Observations
Open Flight activities have a minimum level of risk to persons and property on the ground	- Flight activities are conducted in the visual line of sight (VLOS); - Maximum flight height: 120 m - Maximum take-off mass of UAS: 25 kg; - UAS involved in such operations may not fly over persons not involved in their operation or over buildings;	Refer to: • Part 1÷ 5 of Annex to Reg. (EU) No. 2019/945; • Art. 4 to Reg. (EU) No. 2019/947 and Part A of Annex to this regulation.	Under Art. 15 of Regulation (EU) No. 2019/947, flights in the OPEN category may not take place in restricted or prohibited areas.

	- UAS operators shall register themselves on an electronic platform providing information on operator identification and UAS to be used in flight activities.		
<p>Specific (or SPEC)</p> <p>Flight activities have a medium level of risk for third parties, buildings, etc.</p>	<p>Flight activities are conducted: - in the visual line of sight (VLOS) or beyond the visual line of sight (BVLOS); - in accordance with standard scenarios approved by EASA, Romanian CAA or other national civil aviation authorities.</p> <p>UAS operators shall register themselves on an electronic platform providing information on operator identification and UAS to be used in flight activities.</p>	<p>Refer to:</p> <ul style="list-style-type: none"> • Art. 5, Art. 11 and Art. 12 of Reg. (EU) No. 2019/947; • Part B and Part C of the Annexes to Reg. (EU) No. 2019/947. 	<p>The flight activities will be carried out in compliance with one of the following documents:</p> <ul style="list-style-type: none"> a) the declaration of the UAS operator that the flights are conducted in one of the standard scenarios published by EASA and accepted by Romanian CAA by letter; b) light UAS authorization (LUC) issued by the Romanian CAA following the evaluation of the specific documentation submitted by the operator; c) Applicants are to be assessed and audited by the Romanian CAA in the both situations (flight operations under either declaration or LUC). <p>The evaluation and audits performed by Romanian CAA to the UAS operators will be carried out based on the risk analyses and in accordance with Reg. (EU) No. 2018/1139.</p>
<p>Certified</p> <p>Flight activities have a high level of risk to people and property on the ground</p>	<ul style="list-style-type: none"> - Flight activities are conducted beyond the visual line of sight (BVLOS); - The UAS holds a type-certificate and a certificate of airworthiness issued in accordance with specific 	<p>European regulations applicable to aircrew and air operators engaged in air transport activities (persons and cargo).</p>	<p>The legislative framework and its application are to be specified / detailed by EASA.</p>

	<p>European regulations applicable to manned aircraft;</p> <ul style="list-style-type: none">- The unmanned aircraft meets any of the following conditions:<ul style="list-style-type: none">a) it has a size of at least 3 m and is designed for operation over crowds;b) it is designed for passenger transport;c) it is designed for the transport of dangerous goods and requires a high level of robustness to mitigate the risks to third parties in the event of an accident; - The UAS pilot should hold a similar license in accordance with Reg. (EU) 1178/2011.		
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