



## Incoming: Recent News on FAA Drone Approval May Benefit Agricultural Operations

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### **PRACTICE AREAS**

Agri-Business

The Federal Aviation Administration (FAA) recently approved the first commercial use of low-risk unmanned aircrafts, commonly called drones. This news comes shortly after the FAA's June 2, 2014 press release announcing that it was considering petitions for drone use from seven commercial movie and TV production companies. Once granted, those businesses would be exempt from regulations that address general flight rules, pilot license certificate requirements, manuals, maintenance, and equipment mandates. The only exemption granted so far is to energy corporation, BP, which will use a small drone to survey pipelines and infrastructure in Alaska. The FAA says the drone will save time and support safety and operational-reliability goals while also protecting the Alaskan environment. While many uses for drones have been identified, this news is especially relevant to agricultural operations. The FAA predicts that once the exemptions are enabled, roughly 7,500 commercial drones will be actively flying in the United States.

Commercial drones have many uses in agricultural operations, including thermal imaging to identify stressed areas of crops and target the cause of a problem. In fact, 80 percent of the commercial market for drones will eventually be for agricultural uses according to the Association for Unmanned Vehicle Systems International, the trade group representing drone producers and users. New companies hoping to capitalize on the use of drones in agriculture claim that their technology will "collect, process and manage imagery from" drones to "provide intelligent decision making resources."

Although many uses for drones have been identified, they are not without risks. The FAA previously announced that a drone nearly collided with a jet over Tallahassee, FL and highlighted the potential hazard of an airliner engine ingesting a drone. While conventional aircraft include advanced collision-avoidance systems, such technology for drones is still far from reality, and could cost as much as \$2 billion to develop.

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Users of drones should consider potential legal issues surrounding drone use such as trespass and nuisance causes of action and privacy laws. A recent article highlighted the story of Cy Brown, who received a cease and desist letter from the FAA after using a drone equipped with night vision technology to locate feral pigs that are notorious for harming farmers' crops in Louisiana. Contact Attorney John Mashni with your questions regarding drones at [jmashni@fosterswift.com](mailto:jmashni@fosterswift.com) or 517.371.8257.

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