



# **The new EU drone rules – how to continue your business after 2020**

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## The path of drone rules harmonization in Europe

Europe has been very busy lately...

- 09/2018      **new EASA Basic Regulation 2018/1139/EU entered into force**
  - Competence for practically all civil unmanned aircraft on European level
  - Opt-in for military, customs, police, SAR, firefighting, coastguard or similar activities
  
- 03/2019      **new EU Commission Delegated Regulation 2019/945/EU adopted**
  - Technical requirements for drones on EU market to be used in *open category*
  - Design, manufacture, remote identification add-ons
  
- 05/2019      **new EU Commission Implementing Regulation 2019/947/EU adopted**
  - Details on UAS operations, remote pilots and drone operators
  - Registration requirement for drone operators and certified drones

## The path of drone rules harmonization in Europe

... and Europe still has a busy timetable:

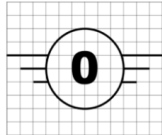
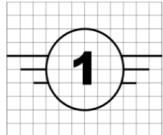
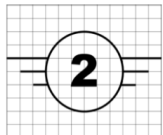
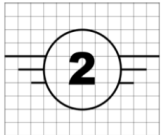
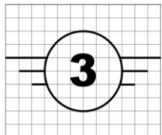
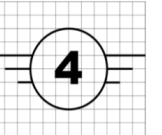
- 10/2019      **EASA package including:**
  - Guidance Material (GM)
  - Acceptable Means of Compliance (AMC)
  - Description of Specific Operation Risk Assessment (SORA)
  - First pre-defined risk assessment → for operators applying for authorisation in *specific category*
  - Opinion on two standard scenarios (Urban VLOS and Rural BVLOS)
  
- 12/2019      **EASA Opinion on U-space** (UAS traffic management)
  
- 2020 etc.      **EU Commission to adopt standard scenarios as Annex to Implementing Reg. 2019/947/EU**
  - no prior authorisation in *specific category* required
  
  - Amendment of regulatory framework for drones/operations in *certified category***
  - see EASA ToR RMT.0230

## **Operational authorisation**

Based upon an operations-centric and risk-based approach, Article 3 et seq. Implementing Regulation define the following categories of UAS operations:

- **Open Category**                      **No prior authorisation or declaration required**
  - Check operational limitations, requirements for UAS, UAS operator, remote pilot
  
- **Specific Category**                      **If standard scenario: only prior declaration, authority verifies completeness**
  - EU standard scenarios under development, national standards may fill lacunae
  - If holder of light UAS operator certificate (LUC): privilege to authorise own operations**
  - If authorised model aircraft club/association: no further authorisation required**
  - If none of the above: SORA based authorisation required**
    - Pre-defined risk assessments, GM, AMC under development
  - If holder of an “old” authorisation: valid until 06/2021**
  
- **Certified Category**                      **Certification of UAS and UAS operator, licensing of remote pilot**

# Operations-centric & risk-based approach

	Open Category								
	VLOS or follow-me mode or observer   120 m max. height   safe distance from people   no carriage of dangerous goods								
Subcategory	A1 (over people)		A2 (close to people)		A3 (far from people)				
	May overfly uninvolved people No overfly of assemblies		No overfly of uninvolved person expected		30 m distance from people, possibly reduced to 5 m		No danger for uninvolved persons expected 150 m from residential, commercial, industrial or recreational areas		
UAS class	Privately built or on market prior 07/2022							Privately built or on market prior 07/2022	
MTOM / J	< 250 g	< 250 g	< 900 g /80 J	< 4 kg	< 4 kg	< 25 kg	< 25 kg	< 25 kg	
Remote Pilot Competence	Familiar with user's manual		Online theoretical training & examination 40 questions	Certificate of competency incl. theoretical training & examination, self-practical training, 70 questions	Online theoretical training & examination, 40 questions				
Registration			UAS operator registration Active and updated direct remote identification & geo-awareness systems				UAS operator registration		

## Continued use of drones

What happens to drones already in use, if non-compliant with UAS class requirements?

→ **Transitional period for continued use of drones until 30 June 2022**

In open category

< 500 g MTOM: no overfly of uninvolved person + national competency requirements

< 2 kg MTOM: 50 m from people + equivalent certificate of competency

< 25 kg MTOM: 150 m from residential, commercial, industrial or recreational areas  
+ online theoretical training & examination

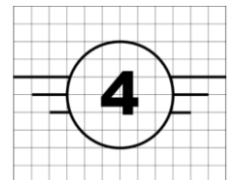
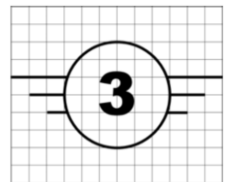
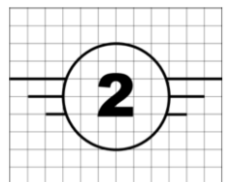
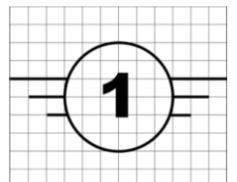
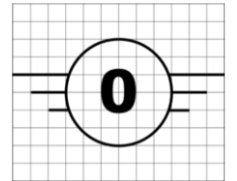
→ **Grandfather clause: continued use of drone as of 1 July 2022**

Placed on the market before 1 July 2022

< 250 g MTOM in open subcategory A1

< 25 kg MTOM in open subcategory A3

→ **Continued use in specific category subject to operational authorisation**



## Registration

The new registration requirements will be applicable as of **1 July 2020**:

→ **Mandatory registration as UAS operator** (unless toy drone or < 250 g / 80 J in open category)

Only in one MS: residence/principal place of business

Name, date of birth/identification number, address, email, telephone

Insurance policy number, if applicable

Confirmation of adequate competency

Operational authorisations, LUC, declarations

→ **UAS operator unique digital registration number to be displayed on every UA, direct remote ID in C1, C2, C3**

→ **Registration of UA only by owner of *certified* UA, but unique physical serial number also for other UA**

→ **Digital and interoperable registration systems to be set up by MS**

## Checklist

Within the transitional period...

- **Analyse** the category of your ongoing or intended operations
- **Classify** your “old” drone (placed on the market before 1 July 2022) and verify compliance
  - Contact manufacturer, importer, seller
  - Continued use of non-compliant drones esp. < 25 kg in open category A3 (far from people)
  - Continued use of non-compliant drones in specific category (authorisation/declaration required)
- **Register** as drone operator and, if applicable, the certified drone → **until 1 July 2020**
- **Convert** “old” operational authorisations, remote pilot certificates into “new” ones → **until 1 July 2021**
- Follow the development of **EASA regulatory framework**
  - Standard scenarios
  - UAS traffic management
- Keep an eye on the upcoming amendments of **national drone rules** in EASA Member States
  - Definition of UAS geographical zones (as of 1 July 2021 in common unique digital format)
  - Set-up of registries
  - Requirements wrt privacy, data protection, liability, insurance, security, environmental protection

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