



**Agenda Item 2: Definition of the open category for the SAM Region**

**Presentation of the results of the second survey carried out for the definition of the open category**

(Presented by the Rapporteur of the Working Group)

**SUMMARY**

This working paper presents to the UAS/RPAS focal points the results of the second survey carried out among the members of the working group in charge of developing the concept of operations (CONOPS) for unmanned aircraft (UA).

On 12 November 2021, a questionnaire with five (5) questions was sent to the States with the purpose of analysing and knowing their position on issues related to the open category that had been left pending in the first evaluation. The Fourth Meeting of Focal Points, held on 4 November 2021, agreed that the questionnaire would be sent to the States for their comments before defining the open category.

The answers to the five (5) pending questions were received on 3 December 2021 to complete the final questionnaire that will define the open category for the SAM Region, as shown in this WP.

**References:**

- Report of the Fourth Virtual Meeting of the UAS/RPAS Focal Points of the SAM and SRVSOP States.
- New UAS/RPAS regulatory framework of the *Agencia Estatal de Seguridad Aérea* of Spain.
- EASA's concept of operations for drones.
- Survey on the five (5) pending questions of the original questionnaire, as agreed by the Fourth Meeting of Focal Points.

*ICAO strategic objectives:*

Safety

**1. Introduction**

1.1 The working group in charge of developing the concept of operations (CONOPS) for unmanned aircraft (UA) developed a questionnaire to know, analyse and understand the position of SAM States regarding the establishment of a common definition for the open category.

1.2 An initial questionnaire with 21 questions was sent to, and responded by, the States, and the answers received were classified for the purpose of defining the open category. Based on the analysis

made by the Fourth Meeting of UAS/RPAS Focal Points, the Group deemed it important to send five (5) new questions for consultation in order to know the position of the States on this matter, given its relevance for the final definition of the open category.

## 2. Discussion

2.1 The work consisted of a survey with five (5) questions, which were answered by all the States, as follows:

Questions	Answers by the States
<b>QUESTION 1.-</b> Does your State consider that dangerous goods should be allowed to be transported in the open category?	<b>YES:</b> 1 State <b>NO:</b> 8 States
<b>QUESTION 2.-</b> Does your State consider that the launching of items from unmanned aircraft (UA) should be allowed in the open category?	<b>YES:</b> 3 States <b>NO:</b> 6 States
<b>QUESTION 3.-</b> Does your State consider that the operator's registration number should be shown on unmanned aircraft?	<b>YES:</b> 8 States <b>NO:</b> 1 State
<b>QUESTION 4.-</b> Is your State considering authorising anti-drone systems for civilians?	<b>YES:</b> 6 States <b>NO:</b> 3 States
<b>QUESTION 5.-</b> Is your State contemplating operations in UTM airspace?	<b>YES:</b> 7 States <b>NO:</b> 2 States

2.2 It is now necessary to analyse this classification of answers in order to reach consensus on the final text for the definition of the open category. A well-defined trend can be observed in all the answers, with no questions remaining undefined. It now remains to establish the most relevant aspects and the operational, legal and administrative considerations and the technical requirements to be taken into account for defining the open category.

2.3 For the purpose, the Fifth Virtual Meeting of the UAS/RPAS Focal Points, to be held on 17 December 2021, shall discuss and agree on the final text for the open category. In **Appendix A**, the analysis of the five (5) pending questions in the proposal to the States for the definition of the open category is presented and in **Appendix B** of this working paper, the final definition of the open category is formulated.

2.4 The definition of the open category will enable the working group to develop the UA CONOPS for the SAM Region and Regulation 101 for the open category.

## 3. Conclusion

3.1 The replies received from the States were analysed and classified as described above.

3.2 The results of this work should be reflected in the definitions to be included in LAR 101 and AC-101-1, which are directly related to the requirements of the open category.

4. **Suggested action**

4.1 The UAS /RPAS Focal Points of the SAM and SRVSOP States are invited to:

- a) take note of this working paper and its **Appendices A and B**; and
- b) analyse, define and accept the proposal for the open category on the basis of the responses to the two (2) consultations sent to States.

- END -

## APPENDIX A

### ANALYSIS OF THE FIVE (5) PENDING QUESTIONS IN THE QUESTIONNAIRE TO THE STATES FOR THE DEFINITION OF THE OPEN CATEGORY

#### 1. BACKGROUND

The working group in charge of developing the concept of operations (CONOPS) for unmanned aircraft (UA) sent to the States a second questionnaire with five (5) questions that remained pending, with the purpose of analysing and understanding aspects submitted to the Fourth Meeting of the UAS/RPAS Focal Points on matters specific to the open category.

This document analyses the replies received from the States.

#### 2. PURPOSE

The purpose of this work is to circulate to the UAS/RPAS Focal Points of the SAM and SRVSOP States, through this working paper, the results of the survey and the proposed technical requirements of the open category for their analysis and comments. The proposal will be presented at the Fifth Meeting of the UAS/RPAS Focal Points of the SAM and SRVSOP States, to be held on Friday 17 December 2021.

#### 3. DISCUSSION

Based on the answers and comments sent by the States, it was deemed appropriate to classify answers in accordance with a score based on the approval or non-approval of the contents of the five (5) proposed questions.

#### 4. CONCLUSIONS

It will be necessary to define the technical requirements of the open category in the regional context, taking into account the results of the first questionnaire, in addition to these five (5) questions that were pending analysis. Accordingly, the results of the second survey are attached for analysis and comments by the UAS/RPAS focal points.

### SECOND QUESTIONNAIRE (Notebook TR 7)

**QUESTION 1 (22). - Does your State consider that dangerous goods should be allowed to be transported in the open category?**

Response by the States	YES	NO	REMARKS/ PROPOSAL
------------------------	-----	----	-------------------

Argentina				X	
-----------	--	--	--	---	--

Brazil		X			
Chile			X		
Colombia			X		
Ecuador			X		
Panama			X		
Peru			X		
Uruguay			X		
Venezuela			X		
		1	8		

**QUESTION 2 (23). - Does your State consider that the launching of items from unmanned aircraft (UA) should be allowed in the open category?**

Response by the States	YES	NO	REMARKS/ PROPOSAL
Argentina		X	
Brazil	X		
Chile	X		
Colombia		X	
Ecuador		X	
Panama		X	
Peru		X	
Uruguay		X	
Venezuela	X		
	3	6	

**QUESTION 3 (24).** - Does your State consider that the operator's registration number should be shown on unmanned aircraft?

Response by the States		YES	NO	REMARKS/ PROPOSAL
Argentina			X	
Brazil		X		
Chile		X		
Colombia		X		
Ecuador		X		
Panama		X		
Peru		X		
Uruguay		X		
Venezuela		X		
		<b>8</b>	<b>1</b>	

**QUESTION 4 (25).** - Is your State considering authorising anti-drone systems for civilians?

Response by the States		YES	NO	REMARKS/ PROPOSAL
Argentina			X	
Brazil		X		
Chile		X		
Colombia			X	
Ecuador			X	
Panama		X		
Peru		X		
Uruguay		X		
Venezuela		X		

	<b>6</b>	<b>3</b>	
--	----------	----------	--

**QUESTION 5 (26).** - Is your State contemplating operations in UTM airspace?

Response by the States		YES	NO	REMARKS/ PROPOSAL
Argentina			<b>X</b>	
Brazil		<b>X</b>		
Chile		<b>X</b>		
Colombia		<b>X</b>		
Ecuador			<b>X</b>	
Panama		<b>X</b>		
Peru		<b>X</b>		
Uruguay		<b>X</b>		
Venezuela		<b>X</b>		
		<b>7</b>	<b>2</b>	

**Scoring of responses**

- 1.- (22) Yes = 1 Total      No = 8 Total
- 2.- (23) Yes = 3 Total      No = 6 Total
- 3.- (24) Yes = 8 Total      No = 1 Total
- 4.- (25) Yes = 6 Total      No = 3 Total
- 5.- (26) Yes = 7 Total      No = 2 Total

## APPENDIX B

### Final definition of the open category

#### 1. Background

The working group in charge of developing the concept of operations (CONOPS) for unmanned aircraft (UA) sent two surveys to the States to define the open category for the SAM Region.

The results of the First survey were analyzed at the Fourth Virtual Meeting of the UAS/RPAS Focal Points of the SAM and SRVSOP States, held on November 4, 2021. At this meeting, through **Conclusion RVPF-UAS-RPAS/4-02 - Second survey with five (5) additional questions for the final definition of the open category**, it was agreed that a second survey with five (5) additional questions be circulated to the States for the final definition of the open category.

After the Fourth Meeting of the UAS/RPAS Focal Points, the UA CONOPS working group sent the Second survey to the specialists of the States that are part of this working group. Once the results of the second survey that are presented in **Appendix A** of this working paper were received, the corresponding analysis and the final definition of the open category were carried out based on the two surveys performed. Following, are the operational and administrative considerations and the final technical requirements for the open category.

#### **Operational and administrative considerations and final technical requirements for the open category**

##### a) Operational and administrative considerations

Based on the results obtained in the first and second surveys carried out, the working group in charge of defining the open category established the following operational and administrative considerations and technical requirements for the open category:

- To authorize a flight operation, it will not be necessary to previously carry out a risk assessment as it is considered low risk.
- Regarding commercial and non-commercial operations, it is recommended to make a difference when authorizing operations.
- Operational safety may be guaranteed with operational limitations, by compliance with industrial safety standards and operational regulations.
- It is considered desirable that the smallest UAS be inspected by the police in compliance with the legislation or regulations that are available and that each State carries out it according to its own legislation and regulations.
- Open category operations will be defined only for flights within visual range (VLOS).
- The take-off weight for this category will be defined as less than 25 kilograms, however, each State may determine the fraction of kilograms and its specificities in its national regulations.
- The maximum height for operations in this category will be 400 feet (122 meters).

- The State may establish, according to its needs, "Drone-free zones" that must be published in the AIP of each State.
- The software requirement to restrict access to areas defined by the State will be subject to the operational decisions that each State determines for this open category.
- The definitions of subcategories will be open to the needs that each State finds it necessary, which should be established in its regulations.
- Each State should establish a UAS aircraft registry, which should preferably be based on a web service.
- In the open category, autonomous flights will not be allowed, since the pilot should always have the aircraft in sight in VLOS condition.
- The possession of licenses, credentials or certifications so that a pilot can perform in this category at the command of an aircraft will be defined by the regulations of each State.
- The responsibility of the pilot in command, who will be the sole and highest authority, should be established in the regulations, while the aircraft is operating in all circumstances.
- Each State may establish the requirements of security devices when UAS operations of the open category are carried out above people, populated areas or places of protected flora or fauna.
- Most of the States considered not to make a specific regulation for sports operations.
- States could incorporate sports UAS operations into the open category.

**b) Technical requirements of the open category**

- Have a maximum certified take-off weight (mass) (MTOW) of less than 25 kg;
- Limit the maximum height from the take-off point to 400 feet (122 m);
- Limited to operations within visual range (VLOS);
- Autonomous flights are not allowed;
- The transport of dangerous goods will not be allowed, unless the State expressly authorizes it;
- The launching of articles from unmanned aircraft (UA) will not be allowed, unless the State expressly authorizes it for occasions that must be regulated;
- The State will include in the unmanned aircraft, the operator's registration number;
- The State may authorize anti-drone systems for civilians; Y
- The State will consider UA operations in airspaces with UAS traffic management (UTM).