



Agenda Item 3: Definition of the regulatory framework for unmanned aircraft (UA)

Presentation of the results of the survey conducted for defining the regulatory framework for unmanned aircraft systems (UAS)

(Presented by the Rapporteur of the Working Group)

SUMMARY	
This working paper presents to the Fifth Virtual Meeting of the UAS/RPAS Focal Points of the SAM and SRVSOP States, the background and the results of the survey conducted for defining the regulatory framework for unmanned aircraft (UA) systems.	
References:	
<ul style="list-style-type: none">• Report of the Fourth Virtual Meeting of the UAS/RPAS Focal Points of the SAM and SRVSOP States• ICAO document: ICAO model regulations, Part 101 and Part 102	
<i>ICAO strategic objectives:</i>	Safety

1. **Introduction**

1.1 In accordance with the tasks assigned to the working group in charge of developing the UAS/RPAS LAR model regulatory framework, the Fourth Meeting of Focal Points agreed to send a question to the States consulting them about the format to be given to LAR 100, 101 and 102, that will govern the operations of unmanned aircraft systems (UAS).

2. **Discussion**

2.1 The working group first focused on having a document in Spanish that could be an accurate reflection of the original English document *ICAO model regulations*, Part 101 and Part 102. After reviewing the contents of these documents, it was noted that Subpart A, corresponding to "general requirements", was applicable to all UAS/RPAS operations, with the same requirements being applied to both the open and the specific categories.

2.2 Upon further analysis of the contents and their consistency with the regulations, it was noted that the text could lead to misinterpretation of the provisions in each of the subparts. Therefore, an explanatory table was developed containing a new proposal for the distribution of LAR topics, adding a new LAR 100 that would contain the general requirements of the open and specific categories, so that it could serve for both LAR 101 and LAR 102, without directly affecting each of these documents, especially when amendments to Subpart A were made. Considering possible future technological developments, there would be significant variations in the interpretation of operational concepts and, accordingly, in their general and operational requirements, which would lead to a large number of amendments. By having a single document with three (3) different types of requirements, the task of amending these requirements would be very complicated.

2.3 Considering that the UAS LARs are model regulations for the Region, States could adopt one of the two formats discussed at the Fourth Meeting of the UAS/RPAS Focal Points of the SAM and SRVSOP States. However, it is recommended, as far as possible, that States harmonize their national regulations with the LAR UAS regulations in their form and content.

3. Conclusion

3.1 The work of the group now consisted, as agreed at the Fourth Meeting of Focal Points, in conducting a survey based on the following question, to ascertain the opinion and decision of the States with regard to:

3.2 **Question: Does your State consider that the general requirements for the open and specific categories as well as the operational requirements for these categories should be contained in a single LAR or in separate regulations, as follows: LAR 100 for the general requirements; LAR 101 for the operational requirements of the open category; and LAR 102 for the operational requirements of the specific category?**

3.3 Upon receipt of the answers from States, the scoring was as follows: **Three (3) States** were in favour of a single regulation format, and **six (6) States** preferred the proposed separate regulation format (LAR 100, 101 and 102). Of these seven (7) States, one noted that the general requirements should be part of LAR 91.

3.4 In **Appendix A**, the results and definitions of the survey are presented and in **Appendix B** of this working paper, the regulatory framework of the LAR UAS is formulated.

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 UAS LAR format on the basis of the replies sent by States.

APPENDIX A

ANALYSIS OF THE QUESTION FOR DEFINING THE UAS LAR FRAMEWORK

1. BACKGROUND

The working group in charge of developing the UAS LAR regulatory framework sent to the States a questionnaire with one question to define the framework for LAR 100, 101 and 102, as agreed at the Fourth Meeting of the UAS/RPAS Focal Points, with regard to the issues pertaining to the open and specific categories.

2. PURPOSE

The purpose was to circulate to the UAS/RPAS focal points of the SAM and SRVSOP States a question that had been formulated at the Fourth Meeting of the UAS/RPAS Focal Points of the SAM and SRVSOP States in order to define how the LAR formats should look like.

3. SUBJECT

Taking into account what had been sent and put forth by the States, the responses were classified according to a range of considerations, based on whether the LARs should have a single-document format for all contents or separate formats.

4. CONCLUSIONS

Basically, it will be necessary to define the setup of the texts in LAR 100, 101, and 102. The forthcoming Fifth Meeting of the UAS/RPAS Focal Points should reach an agreement based on the following results of the survey sent to the States:

RESPONSE BY THE STATES:

STATE	A single LAR	Separate LARs	PROPOSAL / DEFINITION
Argentina	X		We consider that LARs should be structured in the same way as the ICAO Model UAS regulations.
Brazil	X		It seems better to have a single regulation in order to have one place where we can find all relevant information. It is also worth noting that, in the case of the specific category, the technical criteria are likely to be contained mainly in the guidance material.
Chile		X	Chile considers that the LARs should be contained in separate volumes (LAR 100, LAR 101, and LAR 102), to facilitate subsequent modifications, based on the fact that UAS/RPAS are a developing technology that is just starting to be regulated in the Region.

Colombia		X	We believe that the regulations should be separate, since these issues are still evolving and would be easier to consult and understand by the people.
Ecuador		X	It is felt that the regulations should be separate, since these issues are still evolving.
Panama		X	In our opinion, it is preferable that the open and specific categories, as well as their operating requirements, be separate as suggested, since they have very different connotations. Having one single regulation could lead to confusion and waste of time when consulting on a particular category.
Peru		X *	The DGCA of Peru considers that the general requirements should be in an Appendix to LAR 91; open category operations should be addressed in LAR 101; and the operating requirements for the specific category should be addressed in LAR 102.
Uruguay	X		It is advisable to have a single regulation, with several chapters, so that all relevant information can be found in one place.
Venezuela		X	Venezuela considers that the LARs should be separate (LAR 100, LAR 101, and LAR 102), so that any future modifications can be better dealt with.

Scoring of answers:

Regulations in one single document: 3

Separate regulations: 6

X*: It is understood that Peru prefers to have separate regulations, but includes a variable that was not considered in the question: General requirements should be in an appendix to LAR 91.

END

APPENDIX B

Definition of the LAR UAS regulatory framework

1. Background

During the Fourth Virtual Meeting of the UAS/RPAS Focal Points of the SAM and SRVSOP States, held on November 4, 2021, the regulatory framework of the LAR UAS was presented. After the corresponding analysis of this framework, the meeting, through **Conclusion RVPF-UAS-RPAS / 4-03 - Survey to define the LAR UAS regulatory framework**, agreed that a survey to define the LAR UAS regulatory framework should be circulated to the States.

The working group in charge of developing the LAR UAS regulatory framework, sent the States a questionnaire with a question that would define the framework of the LAR 100, 101 and 102 regulations, regarding the matters of the open and specific category.

In accordance with what was submitted and stated by the States, the responses were classified based on the score obtained, reaching the following result:

- a) Three (3) States considered leaving the LAR UAS format in a single document.
- b) Six (6) States considered leaving the LAR UAS format in separate documents; understand LAR 100, LAR 101 and LAR 102 with their respective advisory circulars (AC).

2. Conclusions

Based on the survey carried out, it is established by a majority of the States, to develop the LAR UAS regulatory framework, in three (3) regulations: LAR 100, LAR 101 and LAR 102.

- END -