

## SUPPORTING STATEMENT

### **Small Unmanned Aircraft Registration System (sUAS)**

**OMB Control Number 2120-0765**

#### **A. Justification**

##### **1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.**

The Secretary of the Department of Transportation (DOT) and the Administrator of the Federal Aviation Administration (FAA) affirmed that all unmanned aircraft, including recreational small unmanned aircraft, are aircraft. As such, in accordance with 49 U.S.C. 44101(a) and as further prescribed in 14 CFR part 47, registration is required prior to operation. *See* 80 FR 63912, 63913 (October 22, 2015). Aircraft registration is necessary to ensure personal accountability among all users of the National Airspace System (NAS). Aircraft registration also allows the FAA and law enforcement agencies to address non-compliance by providing the means by which to identify an aircraft's owner and operator.

Subject to certain exceptions discussed below, aircraft must be registered prior to operation. *See* 49 U.S.C. 44101-44103. Upon registration, the Administrator must issue a certificate of registration to the aircraft owner. *See* 49 U.S.C. 44103

Congress also passed the FAA Reauthorization Act of 2018 (Pub. L. 115-254). Section 349 of the Act (49 U.S.C. 44809) does not prohibit the Administrator from promulgating rules generally applicable to unmanned aircraft related to updates to the operational parameters for unmanned aircraft used for limited recreational operations, the registration and marking of unmanned aircraft, and other standards consistent with maintaining the safety and security of the airspace of the United States.

Registration, however, does not provide the authority to operate. Persons intending to operate a small unmanned aircraft must operate in accordance with 49 U.S.C. 44809, part 107 or part 91, in accordance with a waiver issued under part 107, in accordance with an exemption issued under 14 CFR part 11 (including those persons operating under an exemption issued pursuant to 49 U.S.C. 44807), or in conjunction with the issuance of a special airworthiness certificate, and are required to register.

##### **2. Indicate how, by whom, and for what purpose the information is to be used.**

The information collected as part of the small unmanned aircraft registration system will identify to the FAA those persons owning small unmanned aircraft, whether the intended use is recreational, or as other than recreational. All persons who wish to operate a small unmanned aircraft outdoors are required to register. This information is collected as needed and is for reporting purposes. Only demographic information is released quarterly in the FOIA library. Other information may be disclosed upon request with any individual PII redacted. It will also allow the FAA to provide

respondents with educational materials regarding safety of flight in the National Airspace System (NAS) to promote greater accountability and responsibility of these new users of the NAS.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.**

The part 48 small unmanned aircraft registration system is a fully (100%) automated, web-based online registration system that requires inputting a minimal amount of information. The part 47 process, which requires mailing an application to the FAA, will remain available as an alternative process for small unmanned aircraft owners who wish to use a paper-based registration system.

**4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purpose(s) described in 2 above.**

The registration of small unmanned aircraft is within the purview of the FAA. Title 49, United States Code, 44101-44106 and 44110-44113 require aircraft to be registered as a condition of operation and establish the requirements for registration and registration processes. No other Federal agency has similar requirements, thus there is no duplication.

The agency expects small unmanned aircraft owners to complete aircraft registration using the part 48 registration process identified in the Interim Final Rule, "Registration and Marking Requirements for Small Unmanned Aircraft", RIN 2120-AK82 (part 48). Alternatively, small unmanned aircraft owners may choose to register their aircraft by using the existing part 47 registration process (OMB Control No. 2120-0042) which requires mailing an application to the FAA.

**5. If the collection of information has a significant impact on a substantial number of small businesses or other small entities (item 5 of OMB Form 83-I), describe the methods used to minimize burden.**

The information required to be collected from persons intending to register small unmanned aircraft as other than model aircraft is minimal:

- (1) Applicant name and, for an applicant other than an individual, the name of the authorized representative applying for a Certificate of Aircraft Registration.
- (2) Applicant's physical address and, for an applicant other than an individual, the physical address for the authorized representative. If the applicant or authorized representative does not receive mail at their physical address, a mailing address must also be provided.
- (3) Applicant's e-mail address or, for applicants other than individuals, the e-mail address of the authorized representative.
- (4) The aircraft manufacturer and model name.
- (5) The aircraft serial number, if available.

The FAA believes that the minimal information requested will significantly reduce any burden this registration system might impose.

The FAA emphasizes that the minimal nature of the information being collected under the small unmanned aircraft registration system discussed in this information collection should be viewed in

comparison with the current requirement that persons intending to use small unmanned aircraft other than as model aircraft comply with the significantly more paperwork-intensive requirements of 14 CFR part 47 and OMB information collection 2120-0042. That information collection is estimated to take 30 minutes per response, as compared with the estimate of 5 minutes per response for this information collection.

**6. Describe the consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently.**

Persons who own small unmanned aircraft are required to register with the FAA prior to operation of those small unmanned aircraft. Registration is effective for three years and must be renewed if the person wishes to continue to use small unmanned aircraft upon the expiration of the Small Unmanned Aircraft Certificate of Registration. The FAA would not be able to disseminate safety information to respondents or assist law enforcement and aircraft accident investigators without this collection or by limiting the frequency of this collection.

**7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with 5 CFR 1320.5(d)(2)(i)-(viii).**

There are no special circumstances.

**8. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and record keeping, disclosure, or reporting format (if any) and on the data elements to be recorded, disclosed, or reported.**

A 60-day Notice was published in the Federal Register on May 9, 2019 (84 FR 20460) requesting public comment on the renewal. The FAA received two comments in support from EPIC and A4A. EPIC's further recommendations related to broadcasting location are beyond the scope and authority of what is proposed in this information collection. Another comment was received correcting the FAA's statutory citation, which the FAA acknowledges and has updated in the 30 day notice.

**9. Explain any decision to provide any payment of gift to respondents, other than remuneration of contractors or grantees.**

No gifts or payments are provided to respondents.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

There is no assurance of confidentiality provided to respondents. Any PII is protected under Exemption 4 of FOIA.

**11. Provide additional justification for any questions of a sensitive nature such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the**

**questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

There are no questions of a sensitive nature.

## **12. Provide estimates of the hour burden for the collection of information.**

The FAA estimated future small unmanned aircraft (UA) registrations based on new sales projections of small unmanned aircraft system (UAS) sales. This forecast was then adjusted to obtain the number of small UAS owners who would have to register.

For the total population of recreational UAS model owners and commercial UAS non-model owners who are burdened from the interim final rule (IFR), we used the FAA new sales forecast for hobbyist and commercial small UAS owners.<sup>1</sup> This forecast forms the basis for estimating the number of affected recreational owners of small UAS. To estimate the total number of affected small UAS owners, we added the number of forecasted model and commercial non-model aircraft owners.

In order to calculate the number of small UAS owners affected by the IFR, the FAA notes:

- Affected commercial/public small UAS owners are assumed to own an average of two small unmanned aircraft systems at a time.
- On average, affected recreational model small UAS owners are assumed to own an average of 1.5 small unmanned aircraft systems.
- On average, all small UAS operated by affected owners fail within a year and are replaced in the next year.
- We use a seven discount rate for calculating present values of costs as prescribed by OMB in Circular A-4.<sup>2</sup>
- Estimates are provided in constant dollars with 2018 as the base year.
- Based on the web system design and the information to be collected, the FAA estimates that it will on average take five minutes to register and one minute to enter the data for each small UAS for an affected owner to complete the registration process.
- In the part 48 web-based registration system, the estimated average time for an affected owner to de-register each aircraft is three minutes.
- In order to estimate the cost burden to small UAS owners, the FAA assigns an hourly value of \$25.40 for the value of time for registrants.<sup>3</sup>

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<sup>1</sup> For more information on the forecast, see [https://www.faa.gov/data\\_research/aviation/](https://www.faa.gov/data_research/aviation/) and the Unmanned Aircraft Systems section. The FAA forecast uses “model” and “non-model” to refer to small unmanned aircraft. These correspond to “recreational” or “model” and “commercial/public” (non-model) aircraft references used in this analysis and the final rule preamble. The FAA notes that our forecast includes sUAS new sales from owners who renew their part 48 registration.

<sup>2</sup> <https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/circulars/A4/a-4.pdf>

<sup>3</sup> The hourly opportunity cost is estimated as the median gross compensation, which is the sum of median hourly wage and an estimate of hourly benefits. This estimate is reported in DOT guidance titled Revised Departmental Guidance on Valuation of Travel Time in Economic Analysis (Washington DC, 2016). A similar estimate was used as the proxy hourly opportunity cost in the regulatory evaluation of the IFR.

Since affected commercial/public small UAS owners are assumed to own an average fleet size of two aircraft, we calculate the affected commercial/public small UAS owners who must register their UA, and therefore are burdened by the IFR, by dividing the FAA forecast for new UAS sales by two.

Also, since affected recreational small UAS owners are assumed to own an average fleet size of 1.5 aircraft, we calculate the affected recreational small UAS owners who must register their UA, by dividing the FAA forecast for new sales by 1.5.

The following table shows the number of small UA owners affected by this rulemaking over the 3-year period of analysis.

Year	Number of sUAS Owners (Thousands)			
	Commercial		Hobbyist	
	Register	De-Register	Register	De-Register
2019	200	-	873	-
2020	273	200	900	873
2021	356	273	913	900
<b>Average</b>	<b>276</b>	<b>237</b>	<b>895</b>	<b>887</b>

#### Commercial Register

Summary (Annual numbers)	Reporting	Recordkeeping	Disclosure
<b># of Respondents</b>	276,000		
<b># of Responses per respondent</b>	1		
<b>Time per Response</b>	6 minutes		
<b>Total # of responses</b>	276,000		
<b>Total burden (hours)</b>	27,600		

#### Commercial De-Register

Summary (Annual numbers)	Reporting	Recordkeeping	Disclosure
<b># of Respondents</b>	237,000		
<b># of Responses per respondent</b>	1		
<b>Time per</b>	3 minutes		

<b>Response</b>			
<b>Total # of responses</b>	237,000		
<b>Total burden (hours)</b>	11,850		

### Hobbyist Register

Summary (Annual numbers)	<b>Reportin g</b>	<b>Recordkeepin g</b>	<b>Disclosur e</b>
<b># of Respondents</b>	895,000		
<b># of Responses per respondent</b>	1		
<b>Time per Response</b>	6 minutes		
<b>Total # of responses</b>	895,000		
<b>Total burden (hours)</b>	89,500		

### Hobbyist De-Register

Summary (Annual numbers)	<b>Reportin g</b>	<b>Recordkeepin g</b>	<b>Disclosur e</b>
<b># of Respondents</b>	887,000		
<b># of Responses per respondent</b>	1		
<b>Time per Response</b>	3 minutes		
<b>Total # of responses</b>	887,000		
<b>Total burden (hours)</b>	44,350		

In addition, the FAA also notes that the rule does not require an owner of a small UAS to keep records, although it should be prudent for the small UAS owner to keep a copy of the registration certificate with them in case of a law enforcement request. The registration certificate copy could be stored on their cell phone therefore any storage costs are de-minimus.

To estimate the affected owner's personal value of time costs to register and de-register their small UAS aircraft, we multiply the annual number of affected owners' registrations and de-

registrations by the time it will take to complete each session and then by the hourly value for personal time. We then calculate the average, by year over the 3-year period of analysis.

To estimate the affected owner’s personal value of time costs to register and de-register their small UAS aircraft, we multiply the annual number of affected owners’ registrations and de-registrations by the time it will take to complete each session and then by the hourly value for personal time. The FAA estimated these burden costs by using the affected small UAS new sales forecast discussed above.

The following table shows the estimate of the total paperwork costs to recreational, commercial, and public small UAS owners. The FAA estimates the annualized cost burden to respondents is about \$4.4 million at a 7% present value rate.

**Commercial Register**

Summary (Annual numbers)	
<b># of Respondents</b>	276,000
<b># of Responses per respondent</b>	1
<b>Hourly Rate</b>	\$25.40
<b>Time per Response</b>	6 minutes
<b>Labor Cost per respondent</b>	\$2.54
<b>Total # of responses</b>	276,000
<b>Total burden (hours)</b>	27,600
<b>Total labor cost burden</b>	\$701,040

**Commercial De-Register**

Summary (Annual numbers)	
<b># of Respondents</b>	237,000
<b># of Responses per respondent</b>	1
<b>Hourly Rate</b>	\$25.40
<b>Time per Response</b>	3 minutes
<b>Labor Cost per</b>	\$1.27

<b>respondent</b>	
<b>Total # of responses</b>	237,000
<b>Total burden (hours)</b>	11,850
<b>Total labor cost burden</b>	\$300,990

### Hobbyist Register

Summary (Annual numbers)	
<b># of Respondents</b>	895,000
<b># of Responses per respondent</b>	1
<b>Hourly Rate</b>	\$25.40
<b>Time per Response</b>	6 minutes
<b>Labor Cost per respondent</b>	\$2.54
<b>Total # of responses</b>	895,000
<b>Total burden (hours)</b>	89,500
<b>Total labor cost burden</b>	\$2,273,300

### Hobbyist De-Register

Summary (Annual numbers)	
<b># of Respondents</b>	887,000
<b># of Responses per respondent</b>	1
<b>Hourly Rate</b>	\$25.40
<b>Time per Response</b>	3 minutes
<b>Labor Cost per respondent</b>	\$1.27
<b>Total # of responses</b>	887,000



<b>Total burden (hours)</b>	44,350
<b>Total labor cost burden</b>	\$1,126,490

**13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information.**

There are no additional costs to small UAS owners.

**14. Provide estimates of annualized cost to the Federal Government.**

The FAA will incur business operation, IT program management, and other costs. IT program management costs include costs to manage and maintain the web-based system. The costs for the initial build were included in the IFR that is published in the docket,<sup>[1]</sup> therefore in this analysis we only report the operation and support costs of the web-based registration system.

FAA cost information for the part 48 web-based registration system was developed based on cost models and FAA data. Costs for the web-based system include costs to provide interfaces for retailers and manufacturers, the cost of providing a public search function based on the unique identifier, the cost of providing for law enforcement access, maintenance costs and the cost to update and maintain the web based system.

Since the IFR, the web-based registration system has had other functions programmed into the system. These functions require labor and travel for their incorporation and maintenance. Also, a help desk now supports the system along with security monitoring, cloud protection, and accident reporting.

The FAA estimates the average annual cost burden to the FAA to operate and maintain the updated web-based system is about \$1.45 million. The FAA notes the current operation and maintenance costs are about three times what they were since the IFR was published in 2015.

**15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.**

The prior submission reversed the information collection to its pre-litigation state. For a brief period of time in 2017, the FAA was temporarily without authority for the collection of information for owners of model aircraft due to litigation, but Congress reinstated that authority, which required the information collection to revert to its original collection. This is a renewal of that original collection.

**16. For collections of information whose results are planned to be published, outline plans for tabulation and publication. Address any complex analytical techniques that will**

<sup>[1][1]</sup> <https://www.regulations.gov/document?D=FAA-2015-7396-0002>

**be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

There is no plan for tabulation or publication.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

No such approval is being sought.

**18. Explain each exception to the certification statement identified in Item 19. "Certification for Paperwork Reduction Act Submissions," Of OMB Form 83-I.**

There are no exceptions.