

available these instructions upon sale or transfer of the aircraft or use of the aircraft by someone other than the applicant who submitted a declaration of compliance pursuant to §107.160. Such instructions must address, at a minimum—

(i) A system description that includes the required small unmanned aircraft system components, any system limitations, and the declared category or categories of operation;

(ii) Modifications that will not change the ability of the small unmanned aircraft system to meet the requirements for the category or categories of operation the small unmanned aircraft system is eligible to conduct; and

(iii) Instructions for how to verify and change the mode or configuration of the small unmanned aircraft system, if they are variable.

(3) Maintain a product support and notification process. The applicant for a declaration of compliance must maintain product support and notification procedures to notify the public and the FAA of—

(i) Any defect or condition that causes the small unmanned aircraft to no longer meet the requirements of this subpart; and

(ii) Any identified safety defect that causes the small unmanned aircraft to exceed a low probability of fatality.

### **§107.135 Labeling by remote pilot in command for Category 2 and 3 operations.**

If a Category 2 or Category 3 label affixed to a small unmanned aircraft is damaged, destroyed, or missing, a remote pilot in command must label the aircraft in English such that the label is legible, prominent, and will remain on the small unmanned aircraft for the duration of the operation before conducting operations over human beings. The label must correctly identify the category or categories of operation over human beings that the small unmanned aircraft is qualified to conduct in accordance with this subpart.

### **§107.140 Category 4 operations.**

(a) *Remote pilot in command requirements.* To conduct Category 4 operations—

(1) A remote pilot in command—

(i) Must use a small unmanned aircraft that is eligible for Category 4 operations pursuant to paragraph (b) of this section; and

(ii) Must operate the small unmanned aircraft in accordance with all operating limitations that apply to the small unmanned aircraft, as specified by the Administrator.

(2) No remote pilot in command may operate a small unmanned aircraft in sustained flight over open-air assemblies of human beings unless the operation meets the requirements of either §89.110 or §89.115(a) of this chapter.

(b) *Small unmanned aircraft requirements for Category 4.* To be eligible to operate over human beings under this section, the small unmanned aircraft must—

(1) Have an airworthiness certificate issued under part 21 of this chapter.

(2) Be operated in accordance with the operating limitations specified in the approved Flight Manual or as otherwise specified by the Administrator. The operating limitations must not prohibit operations over human beings.

(3) Have maintenance, preventive maintenance, alterations, or inspections performed in accordance with paragraph (c)(1) of this section.

(c) *Maintenance requirements for Category 4.* The owner must (unless the owner enters into an agreement with an operator to meet the requirements of this paragraph (c), then the operator must) meet the requirements of this paragraph (c):

(1) Ensure the person performing any maintenance, preventive maintenance, alterations, or inspections:

(i) Uses the methods, techniques, and practices prescribed in the manufacturer's current maintenance manual or Instructions for Continued Airworthiness that are acceptable to the Administrator, or other methods, techniques, and practices acceptable to the Administrator;

(ii) Has the knowledge, skill, and appropriate equipment to perform the work;

(iii) Performs the maintenance, preventive maintenance, or alterations on the small unmanned aircraft in a manner using the methods, techniques, and practices prescribed in the manufacturer's current maintenance manual or Instructions for Continued Airworthiness prepared by its manufacturer, or other methods, techniques, and practices acceptable to the Administrator;

(iv) Inspects the small unmanned aircraft in accordance with the manufacturer's instructions or other instructions acceptable to the Administrator; and

(v) Performs the maintenance, preventive maintenance, or alterations using parts of such a quality that the condition of the aircraft will be at least equal to its original or properly altered condition.

(2) Maintain all records of maintenance, preventive maintenance, and alterations performed on the aircraft and ensure the records are documented in a manner acceptable to the Administrator. The records must contain the description of the work performed, the date the work was completed, and the name of the person who performed the work.

(3) Maintain all records containing—

(i) The status of life-limited parts that are installed on, or part of, the small unmanned aircraft;

(ii) The inspection status of the aircraft; and

(iii) The status of applicable airworthiness directives including the method of compliance, the airworthiness directive number, and revision date. If the airworthiness directive involves recurring action, the record must contain the time and date of the next required action.

(4) Retain the records required under paragraphs (c)(2) and (3) of this section, as follows:

(i) The records documenting maintenance, preventive maintenance, or alterations performed must be retained for 1 year from when the work is completed or until the maintenance is repeated or superseded by other work.

(ii) The records documenting the status of life-limited parts, compliance with airworthiness directives, and inspection status of the small unmanned aircraft must be retained and transferred with the aircraft upon change in ownership.

(5) Ensure all records under paragraphs (c)(2) and (3) of this section are available for inspection upon request from the Administrator or any authorized representative of the National Transportation Safety Board (NTSB).

(d) *Compliance with parts 43 and 91 of this chapter.* Compliance with part 43 and part 91, subpart E, of this chapter fulfills the requirements in paragraphs (b)(4) and (c) of this section.

#### **§107.145 Operations over moving vehicles.**

No person may operate a small unmanned aircraft over a human being located inside a moving vehicle unless the following conditions are met:

(a) The operation occurs in accordance with §107.110 for Category 1 operations; §107.115 for Category 2 operations; §107.125 for Category 3 operations; or §107.140 for Category 4 operations.

(b) For an operation under Category 1, Category 2, or Category 3, the small unmanned aircraft, throughout the operation—

(1) Must remain within or over a closed- or restricted-access site, and all human beings located inside a moving vehicle within the closed- or restricted-access site must be on notice that a small unmanned aircraft may fly over them; or

(2) Must not maintain sustained flight over moving vehicles.

(c) For a Category 4 operation, the small unmanned aircraft must—

(1) Have an airworthiness certificate issued under part 21 of this chapter.

(2) Be operated in accordance with the operating limitations specified in the approved Flight Manual or as otherwise specified by the Administrator. The operating limitations must not prohibit operations over human beings located inside moving vehicles.