



Notification Number: 2017/398/F

## Order on the capacity limitation of civilian unmanned aerial vehicles of a weight exceeding 800 g

Date received : 22/08/2017

End of Standstill : 23/11/2017

Issue of comments by : Commission

### Message

Message 002

Communication from the Commission - TRIS/(2017) 02252

Directive (EU) 2015/1535

Translation of the message 001

Notification: 2017/0398/F

No abre el plazo - Nezhajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201702252.EN)

#### 1. Structured Information Line

MSG 002 IND 2017 0398 F EN 22-08-2017 F NOTIF

#### 2. Member State

F

#### 3. Department Responsible

Direction générale des entreprises – SQUALPI – Bât. Sieyès -Teledoc 151 – 61, Bd Vincent Auriol - 75703 PARIS Cedex 13

d9834.france@finances.gouv.fr

tél : 01 44 97 24 55

#### 3. Originating Department

Direction générale de l'aviation civile /

Direction de la sécurité de l'aviation civile.

50, rue Henry Farman



75720 Paris Cedex 15  
philippe.aurade@aviation-civile.gouv.fr  
Tél : +33 1 58 09 42 98  
Fax : +33 1 58 09 45 13

#### **4. Notification Number**

2017/0398/F - T10T

#### **5. Title**

Order on the capacity limitation of civilian unmanned aerial vehicles of a weight exceeding 800 g

#### **6. Products Concerned**

Civilian unmanned aerial vehicles (drones) of a weight exceeding 800 g

#### **7. Notification Under Another Act**

-

#### **8. Main Content**

Due to the increase in the number of unlawful flights over sensitive French sites by drones since autumn 2014, two members of the French Parliament tabled a draft law in spring 2016 on improving safety measures when using civilian drones. In particular, this draft followed the Government report to Parliament entitled 'The rise in civilian aerial drones in France: challenges and possible responses from the State', published in October 2015. The law was finally adopted by the French Parliament and enacted on 24 October 2016 (Law No 2016-1428). It imposes new obligations on pilots, owners or manufacturers of civilian unmanned aerial vehicles (UAVs). These are intended to prevent incidents posing a risk to State security, and make pilots accountable.

The aim of the draft Order notified by France to the Member States and European Commission under Directive (EU) 2015/1535 is to lay down the features of the capacity limitation devices which Article L6214-4 of the Transport Code made compulsory for civilian UAVs whose weight exceeds a threshold set by Decree.

It specifies the technical features of the capacity limitation devices and the requirements for their implementation. It specifies in particular that the default maximum height that drones shall not exceed (or close to which the pilot shall receive a warning) is 150 m. It describes in detail the conditions under which a height greater than 150 m may be set.

#### **9. Brief Statement of Grounds**

This draft order therefore aims to supplement, in order to guarantee public safety and State security, French legislation concerning UAVs, i.e. the Order of 17 December 2015 relating to the design of civilian UAVs, the conditions for their use and the skills required by those using them, and the Order of 17 December 2015 on the use of airspace by UAVs, as amended on 30 March 2017.

It aims to ensure that drones will, in time, have a capacity limitation device that prevents them from flying above a maximum altitude of 150 m. This will prevent drones from wandering off-course and, in particular, recreational drones from deliberately flying into airspace used by manned aircraft, as well as prevent drones from getting close to sensitive sites by flying covertly, because at a significant height, these behaviours are likely to constitute an attack on State security.

#### **10. Reference Documents - Basic Texts**



Reference(s) to basic text(s): - Article L6214-4 of the Transport Code

**11. Invocation of the Emergency Procedure**

No

**12. Grounds for the Emergency**

-

**13. Confidentiality**

No

**14. Fiscal measures**

No

**15. Impact assessment**

-

**16. TBT and SPS aspects**

TBT aspect

Yes

SPS aspect

No - the draft is neither a sanitary nor phytosanitary measure.

\*\*\*\*\*

European Commission

Contact point Directive (EU) 2015/1535

Fax: +32 229 98043

email: grow-dir2015-1535-central@ec.europa.eu