



Notification Number: 2017/397/F

Decree on the capacity limitation of civilian unmanned aerial vehicles

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) 02249

Directive (EU) 2015/1535

Translation of the message 001

Notification: 2017/0397/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: 201702249.EN)

1. Structured Information Line

MSG 002 IND 2017 0397 F EN 22-08-2017 F NOTIF

2. Member State

F

3. Department Responsible

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3. Originating Department

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4. Notification Number

2017/0397/F - T10T

5. Title

Decree on the capacity limitation of civilian unmanned aerial vehicles

6. Products Concerned

Civilian unmanned aerial vehicles (drones) weighing more than 800 g

7. Notification Under Another Act

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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. This draft followed, in particular, 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 drone pilots, owners or manufacturers of civilian unmanned aerial vehicles (UAVs). These are intended to prevent incidents posing a risk to State security, and make remote pilots accountable. The aim of the draft decree notified by France to the Member States and European Commission under Directive (EU) 2015/1535 is to implement the obligation stipulating that civilian UAVs exceeding a threshold laid down by way of a decree must be fitted with capacity limitation devices. The draft decree also describes the authorised exemptions, penalties in the event that the required device has not been fitted, and applicability overseas.

The weight threshold from which this obligation shall apply is laid down by way of a decree at 800 g.

9. Brief Statement of Grounds

This draft decree 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.

The technical requirements in this draft decree aim to ensure that drones will, in time, have a capacity limitation device that prevents them from flying above a maximum altitude. 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.

However, drones registered before 1 July 2018 pursuant to Article L6111-1 of the Transport Code may, from 1 January 2019, have an alert warning the pilot that the drone is flying close to its maximum altitude.



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

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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

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