

# / DRONES

ANAC Rules

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## **ANAC RULES FOR DRONES**

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In early May ANAC, Agência Nacional de Aviação Civil, the National Civil Aviation Agency, approved RBAC-E nº94, the Brazilian Special Civil Aviation Regulation for unmanned aircraft, known as drones.

The regulation applies to drones for recreational, corporate, commercial and experimental use, taking into account the different types of equipment and their modes of operation.

### **/ KINDS OF OPERATIONS**

There are three different modes of drone operation. The visual line of sight (VLOS) operation, in which pilots make direct visual contact with the drone without requiring any equipment or an auxiliary observer. The extended visual line of sight operation (EVLOS), in which the pilot cannot make visual contact with the drone without assistance, which is why an observer is required to conduct the flight. Then, the beyond the visual line of sight (BVLOS) operation, in which the pilot cannot make visual contact with the drone, even with the aid of an observer.

### **/ RULES ON EQUIPMENT**

Drones that have no recreational use are named Remotely-Piloted Aircraft (RPA), divided into three types, with particular requirements for use, according to their maximum takeoff weight.



### Type 1

These are drones having a maximum takeoff weight over 150 kg. Their operation requires a number of documents and protocols, such as drone registration, medical certificate, license and qualification of pilot, among others. All flights must be logged. Drones must go through an Annual Maintenance Inspection and Pilots are required to hold specific licenses for this type.

### Type 2

These are drones with takeoff weight over 25 kg. and below or equal to 150 kg. Their operation requires some documents and protocols similar to type 1 with minor changes. All flights must be logged.

### Type 3

These are drones with a maximum takeoff weight of 25 kg or less. It is the type that requires the least number of documents and protocols, no medical certificate or license, except for operations above 400 feet. These drones only need a registration certification from ANAC if they operate BVLO or above 400 feet. If operating VLOS below 400 feet, all they need is to register with ANAC through the SISANT system. Flights do not need logging.

Drones with maximum takeoff weights below 250 g do not classify as a differentiated order, nevertheless they are not required for several obligations.

### **/ EXCEPTIONS TO DRONES WITH TAKEOFF WEIGHT EQUAL TO OR BELOW 250 GRAMS**

Lighter drones have several advantages in the regulation. As a rule, all drones must take off, operate and land at a minimum distance of 30 horizontal meters from any third-party individual. This rule is not applicable to these drones though.

The age of the pilot, over 18, is the only requirement for lighter drones insofar as the operation does not exceed 400 feet. Such operation does not require: an equipment registration certificate, a valid navigability certificate, a flight manual, an



insurance policy for the operation, a document with risk assessment of the operation, license and CMA authorization.

### **/ THE PILOTS**

The pilots are the central figure in the regulation as they are responsible for the entire operation and for the damages that may occur. Thus, it is the responsibility of the pilots to maintain their equipment under ideal flying conditions as well as operate with diligence.

The essential requirement for operating drones is to be over 18 years of age. Other conditions are added depending on the type of drone, the kind of operation or the conducting of flights above 400 feet.

### **/ IMPACT OF THE REGULATION ON DRONE FILMING**

These days it is commonplace to produce audiovisual content with drones as the regulations allow the use of electronic equipment in flight, such as photography and filming equipment, under some conditions, though.

The maximum takeoff weight is the top weight at which an aircraft can operate in safety. Hence, why to take into consideration the weight of the filming equipment when coupled to the drones.

Type 3 drones are the best choice for filming due to their capacity of withstanding more sophisticated filming equipment and, depending on the operation, the mere logging of the equipment added to the insurance suffices for their use.

A very common type of filming using drones occurs at major artistic and cultural shows and events. However, the regulation establishes that drone operations with maximum takeoff weight above 250 must observe the minimum distance of 30 horizontal meters from third-party individuals.

In case lighter drones are not chosen for filming, there are some other options. Protective equipment, such as nets and grids from third-party individuals allows for disregard of the minimum distance. It is also possible that such individuals expressly consent to the drones operating below the minimum distance. For example, it is possible to get consent from an audience at the time tickets are sold for a show.



## **/ CONCLUSION**

The intent of this article was to present the most important information on drone regulation in a concise manner.

Should you have further questions about specific operations or documentation, feel free to contact one of our attorneys.