

Press Release – FAA Statement–Federal vs. Local Drone Authority

For Immediate Release

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Congress has provided the FAA with exclusive authority to regulate aviation safety, the efficiency of the navigable airspace, and air traffic control, among other things. State and local governments are not permitted to regulate any type of aircraft operations, such as flight paths or altitudes, or the navigable airspace.

However, these powers are not the same as regulation of aircraft landing sites, which involves local control of land and zoning. Laws traditionally related to state and local police power – including land use, zoning, privacy, and law enforcement operations – generally are not subject to federal regulation.

Cities and municipalities are not permitted to have their own rules or regulations governing the operation of aircraft. However, as indicated, they may generally determine the location of aircraft landing sites through their land use powers.

In the context of Unmanned Aircraft Systems (UAS) – popularly called “drones” — the Department of Transportation’s UAS Integration Pilot Program (IPP), directed by the President, will provide the FAA with insight on [how to best involve local jurisdictions in the integration of UAS into the airspace](#) (PDF) in a way that also alleviates their concerns. On May 9, the Secretary of Transportation announced the selection of 10 state, local, and tribal governments as participants in the pilot program. These entities will partner with private sector participants to safely explore the further integration of drone operations. We’re looking forward to working with the IPP participants as we look to the future.