

Thinktank Sues FAA Over Drone Registration Requirement

Colin Wood | February 18, 2016



The Federal Aviation Administration (FAA) is being sued for drone regulations it instated [last December](#). But TechFreedom, a nonprofit think tank, has filed a lawsuit with the U.S. Court of Appeals in D.C., arguing that the new requirement for drone hobbyists to register and pay fees in order to operate their drones oversteps the FAA's authority. "The issue here is not whether drone registration is a good idea," [TechFreedom](#) President Berin Szoka told *Government Technology* via email, clarifying that the issue is whether federal regulators can push the boundaries of the authority Congress gave them to claim new power over technology, and whether regulators can issue new rules without seeking public comment.

"In its rush to get rules out before Christmas, the FCC bypassed the most fundamental safeguard of the Administrative Procedure Act: that proposed regulations are put out for public comment," he added. "If the government can regulate with murky authority and without public input, no technology is safe."

TechFreedom's lawsuit claims that the FAA is prohibited from instating rules regarding "model aircraft," citing section 336 of the FAA Modernization and Reform Act of 2012. The group also claims that the FAA is authorized only to require registration of people who own aircraft, not the aircraft themselves.

Szoka stated in a [media release](#) that the FAA's rules could also lead to "a host of unintended consequences."

Just as children regularly lie about their ages online to bypass agewalls created by the Children's Online Privacy Protection Act, so too could the FAA's requirements create "a culture of noncompliance," Szoka said. The regulations could also impede children from accessing the burgeoning fields of study in STEM, set precedents on taxation that penalizes those who own multiple drones, and raise privacy concerns that could prevent the public from trying out drones. Drone operators as young as 13 years old, for instance, are required to join the registry, making their names and addresses available to the public.

TechFreedom's lawsuit is the [second](#) to be filed since the new regulation was instated, the first coming from a Colorado-based drone hobbyist asking that the court overturn the FAA's claimed authority to regulate recreational drone use.

To encourage prompt registration, the FAA waived the \$5 registration fee within the first 30 days, and more than 342,000 people have now registered their drones, according to a Feb. 16 FAA [press release](#).

<http://www.govtech.com/public-safety/Thinktank-Sues-FAA-Over-Drone-Registration-Requirement.html>