



Glitch Busters

June 2018



HELIS OVER DELAWARE

June 29 - July 1, 2018

WARBIRDS OVER DELAWARE

July 11 - 14, 2018

SWAP MEET

November 3, 2018

NEXT MEETING

Tuesday, June 5th at 7:00 PM

at the Newark Senior Center




AMA #197

FROM THE PRESIDENT

We've heard stories of drones flown FPV to areas outside the flying site proper, either by club members or others who take advantage of our flying site.

The Federal Aviation Regulations governing Small Unmanned Air Vehicles (SUAVs) specifically prohibit flight beyond the visual line of sight.

The Park rangers have been made aware of the law and will periodically check for:

-  **AMA membership** (Our agreement with DNREC requires that use of the facility be restricted to AMA members)
-  **Club membership** (Essential for communication of the rules and safety matters, as well as financial support thru dues)
-  **Observance of the laws governing SUAVs** (Protecting our ability to continue using the State Park Facility)

This does not mean that drones are forbidden. Operations within the scope of the law are welcomed. Actions that jeopardize the safety of our neighbors and the public or are contrary to the existing laws are not tolerated.

Therefore, I am encouraging everyone to please take some responsibility and encourage all who fly at our field to follow the rules.

We owe it to each other and future hobbyists that visit our field to maintain a safe environment to fly our aircraft that are built on the premise of flying safely at all times, even when no one is watching. So please I am asking everyone to help maintain safety at our field, so we all can continue to enjoy the hobby that we all love so dearly. Encourage others to follow the rules. We are all obligated to following the law regarding drones, if you know who is doing this terrible irresponsible thing ask them to please STOP and think about the safety of the people in the community

From: [Freddie Butts Jr](#)

ADDITIONAL COMMENTS FROM MIKE DENEST

Title 11 Chapter 5, Subchapter VII, Section 1334 of the Delaware Code outlines penalties for unlawful sUAS use. The section was recently amended (HB 328) and recently signed into law which defines unlawful use and invasion of privacy. Excerpts of Section 334, H B 328, and Title 14 are included in this newsletter following the "From the Editor's Desk" column. Penalties can be various levels of misdemeanor and fines.

FAR 91.13 covers careless and reckless operation and can be subject to FAA investigation and enforcement, especially if interfering with Summit airport operations. Penalties can range up to a felony, imprisonment and fines.

By all means, do not confront suspected violators; notify a Park Ranger or the State

FROM THE EDITOR'S DESK

In addition to the comments above I would like to remind people that in addition to flying line of sight both FAA and AMA require people flying FPV to have a spotter. This makes sense since by definition someone flying FPV can not see the model he is flying or the area outside the range of the camera.

Line of sight does not just apply to distance, but also to flying behind objects. Flying behind buildings, hill sides, or through woods are all prohibited. The spotter must be able to see the aircraft at all times. I'm sure that this whole concept takes a lot of the fun out of flying FPV. But an airplane or multi-rotor flying through the woods at full throttle will not be aware of anyone just around the bend till a near miss or worse occurs. Imagine what would happen if one of our neighbors got curious about the noises in the trees and went to investigate. An immediate call to the park rangers is a likely outcome. The fun is just not worth the risk.

TITLE 14: AERONAUTICS AND SPACE

PART 91—GENERAL OPERATING AND FLIGHT RULES

Subpart A—General

§91.13 Careless or reckless operation.

(a) *Aircraft operations for the purpose of air navigation.* No person may operate an aircraft in a careless or reckless manner so as to endanger the life or property of another.

(b) *Aircraft operations other than for the purpose of air navigation.* No person may operate an aircraft, other than for the purpose of air navigation, on any part of the surface of an airport used by aircraft for air commerce (including areas used by those aircraft for receiving or discharging persons or cargo), in a careless or reckless manner so as to endanger the life or property of another.

SECTION 1334 OF THE DELAWARE CODE

§ 1334 Unlawful use of an unmanned aircraft system; unclassified misdemeanor; class B misdemeanor; class

A misdemeanor.

(a) *Definitions.* — The following terms shall have the following meanings as used in this section.

(1) "Critical infrastructure" means petroleum refineries, petroleum storage facilities, chemical storage facilities, chemical manufacturing facilities, fuel storage facilities, electric substations, power plants, electric generation facilities, military facilities, commercial port and harbor facilities, rail yard facilities, drinking water treatment or storage facilities, correctional facilities, government buildings, and public safety buildings or facilities.

(2) "First responder" means federal, state, and local law-enforcement officers, fire, and emergency medical services personnel, hazardous materials response team members, 9-1-1 dispatchers, or any individual who is responsible for the protection and preservation of life and is directed to respond to an incident that could result in death or serious injury.

(3) "Unmanned aircraft system" means a powered, aerial vehicle that:

- a. Does not carry a human operator;
- b. Uses aerodynamic forces to provide vehicle lift;
- c. Can fly autonomously or be piloted remotely; and
- d. Can be expendable or recoverable.

(b) *Prohibited acts.* — Except as provided in this section, no person shall knowingly operate, direct, or program an unmanned aircraft system to fly:

(1) Over any sporting event, concert, automobile race, festival, or other event at which more than 1500 people are in attendance; or (2) Over any critical infrastructure; or

(3) Over any incident where first responders are actively engaged in response or air, water, vehicular, ground or specialized transport.

(c) *Exemptions.* — The prohibitions set forth in subsection (b) of this section shall not apply to:

- (1) An unmanned aircraft system used for law-enforcement purposes; or
(2) An unmanned aircraft system flying over property where written permission has been granted by the property owner or occupier; or
(3) An unmanned aircraft system operated by an institution of higher education for educational purposes in compliance with Federal Aviation Administration regulations; or
(4) An unmanned aircraft system that is being used for a commercial or other purpose if the operator is authorized by the Federal Aviation Administration.
- (d) *Penalties.* — Unlawful use of an unmanned aircraft system is an unclassified misdemeanor for a first offense and a class B misdemeanor for a second or subsequent offense, except that in any case where physical injury to a person or damage to property occurs as a result of a violation of this section unlawful use of an unmanned aircraft system is a class A misdemeanor.
- (e) *Preemption.* — Only the State may enact a law or take any other action to prohibit, restrict, or regulate the testing or operation of an unmanned aircraft systems in the State. This section preempts the authority of a county or municipality to prohibit, restrict, or regulate the testing or operating of unmanned aircraft systems and supersedes any existing law or ordinance of a county or municipality that prohibits, restricts, or regulates the testing or operating of unmanned aircraft systems.
- (80 Del. Laws, c. 421, § 1.)

HOUSE BILL NO. 328



SPONSOR: Rep. Osienski & Rep. Mitchell & Rep. Ramone &
Sen. Walsh
Sen. Bonini

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 328

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO UNMANNED AIRCRAFT SYSTEMS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

- 1 Section 1. Amend § 1334, Title 11 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:
- 3 § 1334. Unlawful use of an unmanned aircraft system.
- 4 (b) *Prohibited acts.* — Except as provided in this section, no person shall knowingly operate, direct, or program an
5 unmanned aircraft system to fly:
- 6 (1) Over any sporting event, concert, automobile race, festival, or other event at which more than 1500 people
7 are in attendance; or

(2) Over any critical infrastructure; or

(3) Over any incident where first responders are actively engaged in response or air, water, vehicular, ~~ground~~
~~ground~~, or specialized ~~transport~~; transport; or

(4) So as to subject another person, who is on private property, to harassment in violation of § 1311(a) of this
title; or

(5) So as to invade the privacy of another person, who is on private property, in violation of § 1335(a)(1), (2),
(3), (4), or (6) of this title; or

(6) So as to violate or fail to obey any provision of a protective order issued by any of the following:

a. The Family Court.

b. A court of any state, territory, or Indian nation in the United States, as long as such violation or failure
to obey occurs in Delaware.

c. A court of Canada, as long as such violation or failure to obey occurs in Delaware.

SYNOPSIS

This Act makes it a crime to fly an unmanned aircraft system to do any of the following:

- (1) Harass another person on private property.
- (2) Invade the privacy of another person on private property.
- (3) Violate or fail to obey a domestic violence protective order.

A violation of a crime created by this Act is punished consistent with the existing penalties under § 1334 of Title
11, which are as follows:

- (1) An unclassified misdemeanor for a first offense.
- (2) A class B misdemeanor for a second or subsequent offense.
- (3) A class A misdemeanor if physical injury to a person or damage to property occurs as a result of a violation.

PHOTOS FROM THE FIELD















Cloud Kings RC Club

Oxford, PA 19363

AMA Charter 579

Sell - Buy - Fly

Free General Admission — Free Parking

\$10.00 per Vendor Space (no tables supplied)

Free Flying for Experienced Pilots

(All Pilots must present current AMA membership card) (Sorry: NO Jets)

Lunch Served:

Hamburgers & Hot Dogs *(Available with Donation)*

Event Location: Johnson Field

160 Cream Rd. Oxford, PA 19363

Date: June 2, 2018 (Rain Date June 3, 2018)

Time: 9:00 am - 4:00pm

Buddy Harlan, Event Chairman **1-717-529-2759**

e-mail Contact: willbrueckman@zoominternet.net

AMA Sanction 18/833

Visit our Club Website for Upcoming Events

www.cloudkingsrc.org

2018 Aerorama

Radio Control Model

AIR SHOW



Tuscarora State Park-Barnesville,

www.tuscarorarcflyingclub.com



Glitch Busters

is a monthly publication of the Delaware R/C Club:

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