



July 7, 2023

Submitted electronically via rules.cityofnewyork.us

New York City Police Department
Legal Bureau
One Police Plaza, Room 1406
New York, NY 10038

Re: The Commercial Drone Alliance Comment to New York City’s Proposed Rule for Permitting Uncrewed Aircraft Launch and Landing Within the City

To Whom It May Concern:

The Commercial Drone Alliance (CDA) appreciates the opportunity to provide comments on the New York City Police Department (NYPD) proposed rule to create a permitting framework for enabling uncrewed aircraft (UA or drone) launch and landing operations within New York City (hereinafter “the City”).

The CDA is an independent non-profit organization led by key members of the commercial drone industry.¹ The CDA brings together commercial drone end-users; manufacturers; third-party service providers; advanced air mobility (AAM) companies; drone security companies; and vertical markets including oil and gas, precision agriculture, construction, security, communications technology, infrastructure, newsgathering, filmmaking, and more. The CDA works with policymakers across all levels of government to craft policies for industry growth and seeks to educate the public on the safe, responsible use of commercial drones to achieve economic benefits and humanitarian gains, including the countless public benefits enabled by UAS operations.

Commercial drones offer significant life-saving, economic and societal benefits—from creating jobs and enhancing worker safety, to protecting the environment and revolutionizing inspections of critical infrastructure, to expanding equitable and efficient access to medicines, to generating tremendous economic value and facilitating commercial deliveries, to enhancing public safety and fighting wildfires, among many others.

While the safety, efficiency, environmental, and economic benefits of UAS operations to City residents, and the American public more broadly, are clear, the technology has outpaced

¹ Learn more at www.commercialdronealliance.org.

policy and regulations. To this end, the CDA is encouraged to see the City move beyond its blanket prohibition on drone operations, which to date has prevented City constituents from benefiting from drone technology.²

The CDA supports the City's efforts to modernize its Administrative Code and eliminate the current de facto ban on commercial drone operations in the City. The CDA is also pleased to see the City acknowledge the potential benefits of commercial drone operations to the City and its residents.

While the CDA appreciates the City's efforts to safely enable more commercial drone operations in the City, we do have concerns with the proposed rule, which, if left unaddressed, may result in a final rule that conflicts with existing federal regulation of UAS operations in the National Airspace System (NAS), and, in doing so, raises substantial air safety and legal preemption issues.

We recognize that there may be unique issues that need to be addressed in the context of commercial UAS operations occurring in densely populated urban environments. We also acknowledge that the City, like other municipalities, may use its traditional police powers to regulate in the areas of land use, zoning, privacy, trespass, and law enforcement operations. Nevertheless, it is essential that the City not attempt to regulate, either directly or indirectly, issues that affect the safety of the NAS. An ordinance regulating the operation of UAS in the City would likely be preempted by federal law.

The CDA stands ready to work collaboratively with the City to bring the countless benefits of UAS innovation to the City, and to address any concerns in a way that provides maximum value to your constituents.

The CDA appreciates the City's consideration of these comments, and we look forward to continued engagement on this and future rulemaking activity aimed at the further integration and normalization of commercial UAS operations in the City.

Sincerely,



Lisa Ellman
Executive Director, Commercial Drone Alliance

² [N.Y.C. Admin. Code § 10-26](#) Avigation in and over the city. (*Take offs and landings.* It shall be unlawful for any person avigating an aircraft to take off or land, except in an emergency, at any place within the limits of the city other than places of landing designated by the department of transportation or the port of New York authority.”). This current limitation has essentially acted as a de facto ban on commercial drone operations in the City.



The Commercial Drone Alliance is an industry-led nonprofit organization representing key leaders in the commercial drone industry, including end users, drone security companies and the broader advanced aviation ecosystem.

The CDA provides our members with a platform through which their voices and opinions can be heard, while also hearing from others about policy issues and regulatory issues that have a real effect on their businesses. The CDA regularly testifies to Congress, meets with government stakeholders and is well-known as an active and thoughtful voice for the commercial drone industry.

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