

## FAA APPEALS NTSB JUDGE'S UAV RULING

The Federal Aviation Administration is appealing a judge's decision that the FAA was wrong in fining a man who flew an unmanned aerial vehicle around the University of Virginia to capture video of the campus. The FAA is arguing to the National Transportation Safety Board that the agency can regulate all aircraft -- even model aircraft. The case began when the FAA fined Raphael Pirker \$10,000 for flying a drone with a camera around the University of Virginia in 2011 to collect video of the campus for Lewis Communications. Pirker appealed.



Administrative Law Judge Patrick Geraghty ruled in March that there was "no enforceable FAA rule" that applied to a model aircraft, such as the Ritewing Zephyr that Pirker was flying. FAA has appealed to the National Transportation Safety Board by arguing the judge was mistaken, and the agency has the authority to regulate all aircraft, including models. The FAA traditionally had policies [allowing hobbyists to fly models](#) lower than 400 feet, but has insisted that commercial flights such as Pirker's aren't allowed until comprehensive rules are approved. "It's a very important decision, because I think it's created some chaos out there because of the (judge's) interpretation of the situation that we have no authority to regulate model aircraft," said Peter Lynch, the FAA's assistant chief counsel. Transportation Secretary Anthony Foxx told reporters Tuesday that "Commercial use of drones is not authorized unless the FAA says so. When we find violators, we're going to go after them." (Information adapted from [USA Today](#) July 2, 2014, FAA, NTSB)

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(follow-up to the above)

## FAA SAYS THAT LEGALLY IT CAN REGULATE MODEL PLANES

### *EAA Reviewing Proposed Model Aircraft Policy*

The FAA released a [legal interpretation](#) detailing the types of remote control and model aircraft and aircraft operations the agency believes should be subject to federal regulation and oversight. The interpretation is a position statement coming on the heels of a court case in which an NTSB administrative [law judge ruled](#) that the FAA did not have regulatory authority over model aircraft. The Academy of Model Aeronautics released a statement outlining its concerns about the interpretation, stating in part that "it is an abuse of the provision for interpretive rule" by federal agencies and that it is "unnecessarily restrictive, overreaching, and totally unrelated to the safety aspects of operating model aircraft." EAA has concerns about the scope of the interpretation and the lack of safety data cited by the FAA to arrive at its position. EAA's Advocacy and Safety Department is reviewing the original NTSB decision, the FAA's appeal, and the FAA Modernization and Reform Act of 2012, which orders the agency to create rulemaking and policy regarding unmanned aerial systems. After this review is complete, EAA will write and submit comments to the federal docket. EAA members are also encouraged to comment on the interpretation. (Information adapted from [EAA Hotline](#), 07/03/14, NTSB, FAA)



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## AVIATION QUESTION OF THE MONTH

**Answer to last month's question:** *During which phase of flight is a pilot at increased odds of experiencing a somatogravic illusion?*

**According to AOPA and the FAA:** Rapid acceleration during takeoff can cause the illusion of being in a nose-up attitude. This may cause the pilot to push the aircraft into a nose-low attitude. A rapid deceleration may cause the opposite sensation. These are referred to as [somatogravic illusions](#). (Source: [Aeronautical Information Manual 8-1-5](#))

**This Month's Question:** Is a terminal radar service area (TRSA) a class of airspace? Are VFR pilots required by the FAA to use it?

## SOUTH CAROLINA'S PRIVATE AIRFIELDS GRANTED LIABILITY PROTECTION

South Carolina landowners who allow pilots to fly aircraft onto their property gain liability protection under an amendment to the state recreational-use statute recently signed into law. Gov. Nikki Haley's signature marks the twenty-third state to include aviation in its recreational-use statute, a move designed to open up more private airfields to public use. "AOPA was able to provide meaningful assistance in moving this measure through the committees process," said AOPA Southern Regional Manager Bob Minter. "I'm happy we were successful with RUS measures in both South Carolina and Georgia this year." The law provides South Carolina landowners a level of liability protection when allowing pilots to fly aircraft onto their property. In South Carolina, Recreational Aviation Foundation state liaison Kathleen Hegenberger and member Jim Wilson spearheaded the amendment process. It was sponsored by Rep. Gary Simrill, a pilot, and Reps. "Chip" Limehouse, Mike Sottile, and Craig Gagnon. AOPA, the South Carolina Aviation Association, and Triple Tree Aerodrome provided support through the amendment process.

(Information adapted from [AvWeb Press Release 06/25/14](#), [General Aviation News 06/25/14](#), [AOPA News 07/2/14](#), [South Carolina House Bill 8673](#) )



### KR-2 PROJECT FOR SALE – *VERY REASONABLY PRICED!*

Bob Lee, a pilot and aircraft builder who lived in Suwanee, Georgia, about 30 miles north of Atlanta, Georgia, [passed away](#) May 9th of this year. His widow, Cheryl Lee, contacted us and asked if we would advertise his KR-2 project. It seems that Bob had been building it from plans for more than ten years. He had most of the subsections finished including the fuselage, wings, and tail section. He also had finished the instrument panel. His wife is trying to sell the KR-2 project to defray some of the medical expenses Bob had incurred prior to his passing. The plane is a plans-built KR-2 using a Great Plains 2600cc Type IV VW engine that is inter-cooled and turbo-charged with a custom built AirResearch turbo-charger capable of sustaining rated power to FL250. The plane uses the stock retractable landing gear in the tail-dragger configuration. The wing is built to plans dimensions except for substitution of the AS5046 airfoil section for its improved cruise performance. A three axis electronically controlled trim system is employed that is integrated into an autopilot capable of heading and altitude hold with yaw damping.



This is the instrument panel that Bob Lee had constructed.



The fuselage in the construction building.



Great Plains 2600cc Type IV VW engine.



Wings & tail assembly ready to be attached.

**Click [KR2](#) for further photos and information on the [KR2net KR builders Website](#)**

Bob's widow writes "I have quite a bit of items that go with the plane. He had all sorts of parts, nuts, bolts, screws, etc. I also have some tools like a drill press, band saw, sand blaster, TIG welder, etc. I am asking \$5000 for the whole project or best offer. The tools are extra if anyone is interested in them."

**The plane is in Suwanee, Georgia, about 30 miles north of Atlanta, Georgia.  
Contact information: Cheryl Lee 404-538-1434 e-mail: [shortbus1017@gmail.com](mailto:shortbus1017@gmail.com)**

Note the price: **\$5000**. The Great Plains 2600cc VW engine *alone* is worth at least \$5000!