

Transport Canada: RPAS Opportunities and Impacts to Policing



Canadian Police Knowledge Network- September 20,
2023



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The Foundations

- A drone is a “remotely piloted aircraft” (RPA); a drone is an aircraft, an aircraft is a “conveyance” under the Criminal Code
- The RPA plus the control station and command and control links = “remotely piloted aircraft system” or RPAS
- The *Civil Aviation Regulations (CARs)* do not distinguish between recreational or commercial operations
- When you fly a drone, you are a pilot

'Cornerstones' of TC's RPAS Work:

Regulations

- Implementing Part IX visual line-of-sight (VLOS) Regulations
- Advancing lower risk BVLOS regulations
- Creating guidance material
- Identifying efficiencies for the Drone Management Portal



Operations

- Supporting pilot projects
- Enabling routine operations by way of Special Flight Operations Certificates (SFOCs)
- Providing guidance, oversight, and enforcement activities for safe operations



Engagement

- Supporting safety awareness activities
- Soliciting stakeholder views on regulation and future policy development
- Working with international partners to align standards and rules



R&D

- Developing research priorities to guide industry innovation
- Establishing relations with other regulators to share information
- Providing an evidence-base for policies and regulations



Current Regulations: Small RPAS flown within visual line-of-sight (VLOS)

- Part 9 of the *Canadian Aviation Regulations* was introduced in 2019 which covers small RPAS (below 25 kg) flown within VLOS
- VLOS operations require pilots to monitor their RPAS and watch for any traffic in the area to yield to other aircraft
- RPAS 250g and larger must be registered and the pilot must have a Basic or Advanced RPAS Pilot License
- Microdrones 249g or smaller are subject to regulations prohibiting reckless or negligent operation, flight in restricted airspace and flight over Forest Fires
- Special Flight Operations Certificates available for other operations such as larger RPAs and BVLOS.
- Flight over an emergency security perimeter established by a public authority is prohibited for small RPAS. CAR 901.12



Part IX Implementation

- Since implementing the rules for VLOS operations in 2019, TC has observed increasing industry adoption and compliance*:



155,484
user accounts
created



94,890
RPAS
registered



189,402
pilot exams
taken



105,158
pilot certificates
issued



1,111
flight reviewer
exams taken



16
law enforcement
agency partnerships

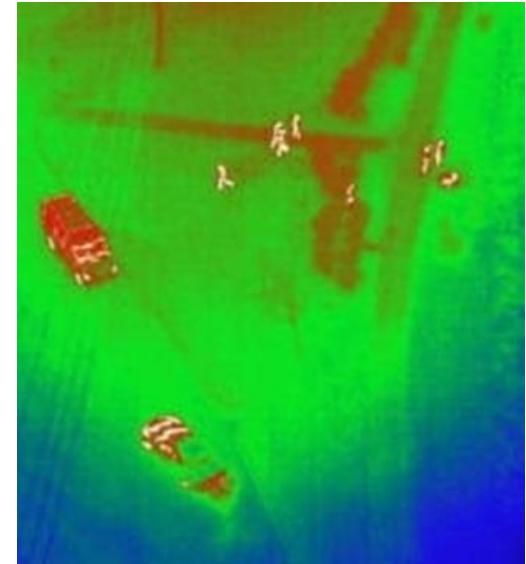
- The Drone Management Portal is the focal point to ensure service accessibility and availability.
- The Drone Site Selection Tool web portal is a situational awareness tool providing a digital representation of the required regulations

* Information as of [August 2023](#)

What's Coming Next...

Advanced VLOS and BVLOS Operations

- Extended Visual Line-of-Sight (VLOS)
 - For short-range flights where the RPA is far enough that it cannot be seen by an unaided eye
- Sheltered Operations
 - For flights close to buildings or structures
 - Allow for certain recreational activities and very low risk commercial activities without the additional requirements introduced for BVLOS
- Medium RPA VLOS
 - For flights requiring a larger platform or to test new designs
- Lower-Risk BVLOS
 - Small or medium drones in lower-risk environments



Comments in ORCS: <https://canadagazette.gc.ca/rp-pr/p1/2023/2023-06-24/html/reg6-eng.html>

Questions: TC.RPASRegulations-ReglementsSATP.TC@tc.gc.ca

Impact of Proposed Regulations on Police Training Organizations

- The new Level 1 Complex Pilot Certificate requires pilots to attend mandatory RPAS training (or ground school) delivered by a school that meets the RPAS Training Provider requirements
- A RPAS Training Provider would need to appoint a chief ground instructor who has the Level 1 Complex Pilot Certificate with a Flight Reviewer rating who oversees the training program
 - Flight Reviewer rating: drone pilot who has successfully completed their pilot certification and completed an exam
- The training must be led by an instructor, be a minimum of 20 hours, and be in line with TP 15530 – *Knowledge Requirements for Level 1 Complex Operations*
- Once requirements are met, the RPAS Training Provider must declare to TC they comply with the rules and can begin delivering ground school for Level 1 Complex Operations (i.e., lower-risk BVLOS)

Compliance and Enforcement



Minister of Transport has the authority to issue administrative monetary penalties (AMPs) to anyone who violates designated provisions of the *Aeronautics Act* and the CARs. This authority is delegated to TC Enforcement Inspectors and enforcement officers meeting the requirements of the Delegated Police Enforcement Program



AMPs carry a maximum fine of \$5,000 for individuals and \$25,000 for corporations and include the potential suspension or cancellation of a person's Canadian Aviation Document



Depending on the violation, deterrent action may include oral counselling, a monetary penalty, document suspension or prosecution.



Drones are integrated into the Civil Aviation Oversight Program with a combination of reactive and proactive activities

Potentially Applicable Authorities for all Police Officers

- Canadian Aviation Regulations CAR 103.02.
 - RPAS pilots shall produce their pilot certificate and/or any other aviation documents, including an inspection of the RPAS data plate, “in accordance with the terms of a demand made by a peace officer”.
- Criminal Code
 - Article 77: Endangering Safety of an aircraft or airport
 - Article 430: Mischief
 - Article 320.13: Dangerous Operation of a conveyance

CAR 103.02: <https://lois-laws.justice.gc.ca/eng/regulations/SOR-96-433/FullText.html#s-103.02>

TC Civ Av Enforcement contacts by region: https://tc.canada.ca/en/aviation/civil-aviation-contacts-offices#aviation_enforcement

Delegated Police Program (RPAS)

- Ministerial Delegation to enforce Part IX of the CARs by Peace Officers
- How?
 - Letter of Authorization signed by DG Civ AV and Police Chief
 - Conduct free online training (2 hours)
 - Issue Administrative Monetary Penalties (AMPs) up to \$5K for individuals and \$25K for organizations depending on the offence
- Supported by the RPAS Task Force
 - Supporting tools and documentation
 - AMP administration and collection
 - Contact: RPASEnforcement-ApplicationdelaloisATP@tc.gc.ca

 Transport Canada		Transports Canada	No – N° :
Last Name – Nom		<input type="checkbox"/> Young Person Personne mineure	
Given Name(s) – Prénom(s)		Date of Birth (yyyy-mm-dd) Date de naissance (aaaa-mm-jj)	
Street Address – Adresse			
City – Ville	Province	Postal Code – Code postal	
Date (yyyy-mm-dd – aaaa-mm-jj)			
Law Enforcement Agency File No. – Organisme d'application de la loi N° du dossier			
On the Le	Day of jour de	Transport Canada – Transports Canada	
A.D. _____ année _____	at _____ à _____	am pm	AVIATION ENFORCEMENT APPLICATION DE LA LOI EN AVIATION
At / Near à / près de	Place or Ville – Town / Tour C 300 RUE SPARKS STREET OTTAWA ON K1A 0N5 RPASEnforcement-ApplicationdelaloisATP@tc.gc.ca		
in the Province of dans la province			

NOTICE OF ASSESSMENT OF MONETARY PENALTY	
Pursuant to section 7.7 of the Aeronautics Act, the Minister of Transport has decided to assess a monetary penalty because he/she has reasonable grounds that you have contravened the following provision(s):	
En vertu de l'article 7.7 de la Loi sur l'aéronautique, le ministre des Transports a décidé d'imposer une amende parce qu'il a des motifs raisonnables de croire que vous avez contrevienu aux dispositions suivantes:	

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The regulatory provision(s) mentioned above
have been designated in accordance with
paragraph 7.0(1) of the Aeronautics Act (R.
S.C., 1985, c. A-2) and the procedures in
sections 7.7 to 8.2 of this Act respecting
monetary penalties apply.

La ou les disposition(s) réglementaire(s)
mentionnée(s) ci-dessus a (ont) été
mentionnée(s) en vertu du paragraphe 7.0(1)
de la Loi sur l'aéronautique (L.R.C., 1985,
ch. A-2) et les procédures relatives aux
amendes établies aux articles 7.7 à 8.2 de
celle-ci s'appliquent.

Payment is due thirty days after the notice is served or sent. Le paiement est dû 30 jours suivant la signification ou l'expédition de l'avis.	
Penalty Amount Amende	Payment due date (yyyy-mm-dd) Paiement dû en date du (aaaa-mm-jj)
Law Enforcement Agency Organisme d'application de la loi	Badge / Regimental Number Numéro Régimentaire
Officer Name – Nom de l'agent For the Minister of Transport – Pour le ministre des Transports	
White copy: Transport Canada – Copie blanche : Transports Canada	
Yellow copy: Police Agency – Copie jaune : Agence de police	
Pink copy: Alleged offender – Copie rose : Présumé(e) contreviennent(e)	

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