



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

800 Independence Ave., S.W.  
Washington, D.C. 20591

March 13, 2015

Exemption No. 11210  
Regulatory Docket No. FAA-2015-0318

Ms. Stephanie Burns  
Associate General Counsel  
Amazon Prime Air  
P.O. Box 81226  
Seattle, WA 98108-1226

Dear Ms. Burns:

This letter is to inform you that we have granted your request for exemption. It transmits our decision, explains its basis, and gives you the conditions and limitations of the exemption, including the date it ends.

### **The Basis for Our Decision**

By letter dated February 5, 2015, you petitioned the Federal Aviation Administration (FAA) on behalf of Amazon Logistics, Inc. (Amazon) for an exemption from §§ 61.113(a) and (b), 91.119(c), 91.121, and 91.151(a) of Title 14, Code of Federal Regulations (14 CFR) to the extent necessary to allow Amazon to test unmanned aircraft systems that have received a special airworthiness certificate in the experimental category on private Amazon property in a rural area of Washington State.

The FAA has determined that good cause exists for not publishing a summary of the petition in the Federal Register because the requested exemption would not set a precedent, and any delay in acting on this petition would be detrimental to Amazon.

The FAA has issued grants of exemption in circumstances similar in all material respects to those presented in your petition. In Grant of Exemption Nos. 11062, 11177 and 11185 (copies enclosed), the FAA found that granting the requested relief from 14 CFR § 61.113(a), provided the conditions and limitations outlined in the exemption, would not adversely affect

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the safety of the NAS; that relief from 14 CFR § 91.119(c) was warranted; and that good cause existed for granting relief from 14 CFR §§ 91.121 and 91.151(a).<sup>1</sup>

Having reviewed your reasons for requesting an exemption, I find that—

- they are similar in all material respects to relief previously requested in the Grant of Exemption Nos. 11062 (*see* Docket No. FAA-2014-0352), 11177 (*see* Docket No. FAA 2014-0858) and 11185 (*see* Docket No. FAA–2014–0855);
- the reasons stated by the FAA for granting the Grant of Exemption No. 11062, 11177 and 11185 also apply to the situation you present; and
- a grant of exemption is in the public interest.

### **Our Decision**

Under the authority contained in 49 U.S.C. §§ 106(f), 40113 and 44701, which the FAA Administrator has delegated to me, I hereby grant Amazon Logistics, Inc. an exemption from 14 CFR §§ 61.113(a), 91.119(c), 91.121, and 91.151(a), to the extent necessary to test unmanned aircraft systems that have received a special airworthiness certificate in the experimental category on private Amazon property in a rural area of Washington State, subject to the conditions and limitations described below.

### **Conditions and Limitations**

1. Operations must be conducted in accordance with the operating limitations stipulated as part of the special airworthiness certificate issued under the experimental category for each unmanned aircraft system.
2. Operations near persons and property:
  - a. All Flight operations must be conducted at least 500 feet from all nonparticipating persons, vessels, vehicles, and structures unless:
    - i. Barriers or structures are present that sufficiently protect nonparticipating persons from the UA and/or debris in the event of an accident. The operator must ensure that nonparticipating persons remain under such protection. If a situation arises where nonparticipating persons leave such protection and are within 500 feet of the UA, flight operations must cease immediately in a manner ensuring the safety of nonparticipating persons, and/or;
    - ii. The aircraft is operated near vessels, vehicles or structures where the owner/controller of such vessels, vehicles or structures has granted

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<sup>1</sup> Note that some conditions and limitations found in the underlying exemptions are included in the Operating Limitations issued to Amazon Logistics, Inc. as part of its experimental certificate.

permission and the PIC has made a safety assessment of the risk of operating closer to those objects and determined that it does not present an undue hazard, and;

- iii. Operations nearer to the PIC, VO, operator trainees or essential persons do not present an undue hazard to those persons per § 91.119(a).
  - b. This provision may be reduced to no less than 200 feet if it would not adversely affect safety provided:
    - i. The procedures developed by Amazon to use colored vests to identify individuals who are designated as part of the flight operations crew and
    - ii. In the event visitors or other non-participating persons are present, Amazon will establish a no-fly area for non-participating persons or visitors to remain at least 200 feet away from the primary flight area in order to meet the requirements of 14 CFR § 91.119(a).
3. The pilot in command (PIC) must possess at least a private pilot certificate and a current third-class airman medical certificate. The PIC must also meet the flight review requirements specified in 14 CFR § 61.56 in an aircraft in which the PIC is rated on his or her pilot certificate.
    - a. However, the PIC is not required to maintain landing currency in manned aircraft by accomplishing at least three takeoffs and three landings within the preceding 90 days.
  4. All operations must utilize a visual observer (VO). The VO may be used to satisfy the VLOS requirement as long as the PIC always maintains VLOS capability. The VO and PIC must be able to communicate verbally at all times. Electronic messaging or texting is not permitted during flight operations. The PIC must be designated before the flight and cannot transfer his or her designation for the duration of the flight. The PIC must ensure that the VO can perform the functions prescribed in the operating documents.
  5. The UA must be operated at an altitude of no more than 400 feet above ground level (AGL), as indicated by the procedures specified in the operating documents. All altitudes must be measured in feet Above Ground Level (AGL).
  6. The PIC is prohibited from beginning a UAS flight unless (considering wind and forecast weather conditions and assuming normal cruising speed) there is enough power to fly to the intended landing point and land the UA with 20% battery power remaining.

Unless otherwise specified in this grant of exemption, the UAS, the UAS PIC, and the UAS operations must comply with all applicable parts of 14 CFR including, but not limited to, parts 45, 47, 61, and 91.

This exemption terminates on March 31, 2017, unless sooner superseded or rescinded.

Sincerely,

/s/

John Barbagallo  
Acting Deputy Director, Flight Standards Service