

**Resolution on the Importance of Beyond Visual Line of Sight (BVLOS) for Drone Operations in Maintaining Public Safety**

**Committee: Telecommunications Resolution: TEL-21-01**

1. **WHEREAS** the National Organization of Black Elected Legislative Women (NOBEL
2. Women) maintains that natural disasters affect human lives and living conditions and
3. often have a more direct and adverse impact on low-income and communities of color,
4. and
5. **WHEREAS** state officials have a significant role to play in ensuring natural disaster risk
6. reduction, including the areas of science and technology; and
7. **WHEREAS** utilities are responsible for inspecting, protecting, and maintaining the
8. critical infrastructure for the provision of electric, gas, water, and telecommunications;
9. and
10. **WHEREAS** investments in infrastructure is making America technologically innovative
11. for the purpose of creating a better quality of life for citizens, providing for the health,
12. safety, and welfare of all our communities; and particularly, fixed income, low-income,
13. under-served and communities of color; and
14. **WHEREAS** utilities invest significant resources in protecting the nation’s public and
15. private infrastructure through ground and aerial inspections, including the use of drones
16. or unmanned aerial systems (“UAS”); and
17. **WHEREAS** UAS can provide improved safety inspections necessary to promote public
18. safety; and
19. **WHEREAS** UAS can provide operational benefits to utilities and their customers,
20. including but not limited to improved safety for utility workers, other personnel,
21. contractors, and customers resulting from the ability of UAS to reach remote areas and
22. be deployed in poor weather conditions, as well as during and after storms when ground
23. crews may have limited mobility; and
24. **WHEREAS** most utilities using UAS are limited to line-of-sight operations, in which the
25. UAS pilot must be able to see the aircraft without additional visual aids; and
26. **WHEREAS** using UAS for outdoor visual line-of-sight operations or specifically
27. authorized BVLOS operations would greatly improve operational efficiency, reduce
28. safety hazards for utility employees and contractors, and ultimately lower costs to
29. customers; and
30. **WHEREAS** companies seeking permission to fly UAS BVLOS currently must submit a
31. waiver application to the Federal Aviation Administration (“FAA”); and
32. **WHEREAS** the FAA has jurisdiction and, as of late 2019, has received more than 1,200
33. BVLOS waiver applications and has denied approval for an overwhelming majority of
34. waiver applicants; and
35. **WHEREAS** electric utilities (through representatives of the Edison Electric Institute) and
36. the FAA have begun exploring a pathway to a framework for BVLOS activities that \
37. would increase transparency of what is needed for a waiver application without \
38. sacrificing the FAA’s safety responsibilities. This collaboration should allow owners of
39. linear infrastructure to prepare applications that have a greater likelihood for approval of
40. BVLOS waivers; and
41. **WHEREAS** many utilities and state regulatory authorities have expertise with manned
42. and unmanned aerial systems, demonstrating that these entities’ use of BVLOS flights
43. can be done while protecting the safety and security of FAA air space; and
44. **WHEREAS** the FAA has initiated an important Aviation Rulemaking Committee
45. (“ARC”), to develop a regulatory framework for BVLOS operation, within the next 2-3
46. years, that will facilitate greater future use of BVLOS UAS operations by utilities; and
47. **WHEREAS** there is an immediate need for BVLOS waiver to be approved during the \
48. pendency of the ARC’s work.
49. **THEREFORE, BE IT RESOLVED** that the National Organization of Black Elected
50. Legislative Women (NOBEL Women) supports and encourages the FAA to use its
51. authority to approve BVLOS waivers during this critical interim period before there are
52. final rules in place that facilitate BVLOS operations by utilities; and
53. **BE IT FINALLY RESOLVED** that the NOBEL Women encourages utility and utility
54. regulators knowledge sharing and development of industry best practices concerning
55. BVLOS activities, including support for the development of a common utility BVLOS
56. waiver.

**Introduced by The Honorable Barbara Ballard**

**Kansas House of Representatives**