

RULES FOR VISUAL OBSERVERS

A Visual Observer is not required, if PIC can maintain visual line of sight as well as pilot in command duties for the planned flight

§107.39 Operation over human beings.

No person may operate a small unmanned aircraft over a human being unless that human being is:

- (a) Directly participating in the operation of the small unmanned aircraft; or
- (b) Located under a covered structure or inside a stationary vehicle that can provide reasonable protection from a falling small unmanned aircraft.

§107.33 Visual observer.

If a visual observer is used during the aircraft operation, all of the following requirements must be met:

- (a) The remote pilot in command, the person manipulating the flight controls of the small unmanned aircraft system, and the visual observer must maintain effective communication with each other at all times.
- (b) The remote pilot in command must ensure that the visual observer is able to see the unmanned aircraft in the manner specified in §107.31.
- (c) The remote pilot in command, the person manipulating the flight controls of the small unmanned aircraft system, and the visual observer must coordinate to do the following:
 - (1) Scan the airspace where the small unmanned aircraft is operating for any potential collision hazard; and
 - (2) Maintain awareness of the position of the small unmanned aircraft through direct visual observation.

§107.27 Alcohol or drugs.

A person manipulating the flight controls of a small unmanned aircraft system or acting as a remote pilot in command or visual observer must comply with the provisions of §§91.17 and 91.19 of this chapter.

§91.17 Alcohol or drugs.

- (a) No person may act or attempt to act as a crewmember of a civil aircraft:
 - (1) Within 8 hours after the consumption of any alcoholic beverage;
 - (2) While under the influence of alcohol;
 - (3) While using any drug that affects the person's faculties in any way contrary to safety; or
 - (4) While having an alcohol concentration of 0.04 or greater in a blood or breath specimen.

§107.31 Visual line of sight aircraft operation.

- (a) With vision that is unaided by any device other than corrective lenses, the remote pilot in command, the visual observer (if one is used), and the person manipulating the flight control of the small unmanned aircraft system must be able to see the unmanned aircraft throughout the entire flight in order to:
 - (1) Know the unmanned aircraft's location;
 - (2) Determine the unmanned aircraft's attitude, altitude, and direction of flight;
 - (3) Observe the airspace for other air traffic or hazards; and
 - (4) Determine that the unmanned aircraft does not endanger the life or property of another.
- (b) Throughout the entire flight of the small unmanned aircraft, the ability described in paragraph (a) of this section must be exercised by either:
 - (1) The remote pilot in command and the person manipulating the flight controls of the small unmanned aircraft system; or
 - (2) A visual observer.

