

Regulation of Drones in Minnesota

Drones (remotely piloted aircraft, autonomous, or otherwise unmanned aircraft), have become popular throughout Minnesota. Drones are used for commercial purposes like photography, mapping, and structure inspection. They also serve government functions such as law enforcement or fire department situational awareness, hotspot mapping, and search and rescue. Drones also have recreational uses ranging from home-video production to racing. Regardless of the use they are put to, **drones are aircraft**. All aircraft are regulated under state and federal law. This fact sheet is intended as a primer for aviators and aviation enthusiasts on how drone use is regulated.

Federal Aviation Administration

The Federal Aviation Administration (FAA) is the federal agency with sole regulatory authority over the country's airspace. As aircraft, drones fall under the FAA's regulatory control. Federal regulations regarding use of drones change frequently. Drone pilots should consult with the FAA to determine what the current regulations are.

<http://www.faa.gov/uas/>

In general, a drone pilot should expect to have to:

- Register their aircraft with the FAA. In most cases, this can be done at: <http://dronezone.faa.gov/>
- In most cases commercial users should fly under 14 CFR §107 (Small Unmanned Aircraft Systems). Operations under §107 will require the drone operator to obtain a Remote Pilot certificate, which requires the prospective pilot to pass an FAA knowledge test.
- Substantial changes to regulation of recreational users were made in the 2018 FAA Reauthorization Act, which was signed into law in October 2018. Most of these changes have not yet been implemented. Interim guidance for recreational operators may be found in AC 97-51B [Exception for Limited Recreational Operations of Unmanned Aircraft](#), issued May 31, 2019.

Minnesota Department of Transportation

MnDOT is the state agency responsible for aviation regulation in Minnesota. Aviation is regulated in Minnesota Statutes Chapter 360, which may be accessed and searched at no cost via the Office of the Revisor of Statutes: <https://www.revisor.mn.gov/statutes/cite/360> MnDOT recommends not relying on other internet sources for Minnesota law, as we have found instances of false information purporting to be Minnesota law on websites claiming to list state drone regulations.

Recreational drone use is exempt from state-level tax, registration, and licensing per a statutory exemption for model aircraft (MN Statutes 360.018 Subdivision 3). To determine whether an operation is recreational, we look at whether the operator received compensation for the flight. Compensation does not need to be monetary for a flight to be considered non-recreational.

All aircraft, which are not model aircraft being used recreationally, must register with the state and pay an aircraft use tax. For most drones, this tax will be \$100 per annum. In order to register, you will have to provide proof of insurance meeting certain liability minimums. Additionally, drone operators providing services to third parties (such as real estate agents, engineering consultants, or commercial photographers) must obtain a Commercial Operations License from MnDOT. For more information, please see our fact sheet “Information for Commercial Use of Drones in Minnesota”, available from the Office of Aeronautics.

Local Drone Ordinances

Some communities in Minnesota have enacted ordinances which may affect the operation of drones. MnDOT Aeronautics posts links to local ordinances on our webpage when we are made aware of them. If your community has an ordinance and it is not listed, please contact us. MnDOT takes no position on the validity of any local ordinance. The list we maintain is not exhaustive. It is always the drone operator’s responsibility to comply with federal, state, and local law.

In general, use of the airspace may only be restricted by the FAA. However, local communities may respond to unwanted drone flights through application of nuisance and hazard ordinances, or through land-use restrictions on where a person can takeoff, land, or otherwise control a drone.

Safety Information

It is extremely important that drone operators reference current safety and regulatory information. Information on the web may be out of date or apply to operations in other countries. In particular, any source suggesting a drone operator contact airports within 5 miles of their operation should be considered out of date.

- The basic starting point for any drone pilot should be the FAA’s UAS portal: <https://www.faa.gov/uas/>
- The FAA produces webinars on many topics related to drone safety: <https://www.faa.gov/uas/resources/webinars/>
- The FAA Safety Team has a free online course intended for manned aircraft pilots transitioning to unmanned aircraft operations. This course may also be useful to non-pilots preparing to take the §107 knowledge test. <https://www.faasafety.gov/gslac/ALC/CourseLanding.aspx?CID=451>
- MnDOT has produced a series of outreach videos in conjunction with Twin Cities PBS: <https://www.tpt.org/drone-etiquette/>