

**I have bought a drone. Do I need some special knowledge about its use? Should it be registered with some authority? May I fly the drone in any place? What else do I need to know to use my new purchase in accordance with law?**

**Answer provided by associate attorney at law Kristaps Loze, Loze & Partners:**

Thank you for the question.

Given the ever-increasing popularity of drones, this issue becomes more and more topical.

Actually, drones are regulated by Cabinet Regulation No 737 of 22 November 2016 *The Procedures for Performing Flights of an Unmanned Aircraft or Movements of Other Such Type of Machine, which are not Classified as Aircraft*

(see <https://likumi.lv/ta/id/286823>). For the purposes of this Regulation, “drone” or “unmanned aircraft” means “an aircraft, which is developed so that a person, who manipulates the flight controls during the flight [...], is not on-board the aircraft, and which is remotely-piloted from a remote control point of an unmanned aircraft, and which is used for recreation, sports and special aerial works to be performed by an unmanned aircraft.”

This Regulation is rather silent about restrictions imposed on, and obligations of, the person who intends to fly a drone; however, those restrictions and obligations that are currently in place are relatively reasonable and self-evident; some of the most relevant are as follows:

- drone flights are performed so as not to endanger human life, health, privacy or property, flight safety and security, not to cause harm to the environment, and also not to endanger the State defence and security interests;
- before use, a drone should be labelled with the full name (company name for legal entities) of its owner or holder, registered place of residence (registered office for legal entities) and phone number;
- when flying the drone, the pilot should be able to present a personal identification document, as the supervising and law-enforcement institutions, as well as the National Armed Forces and State security institutions have a right to request that the pilot presents his/ her personal identification document (as well as any other documents if this is stipulated by the Cabinet Regulation, such as, for example, a permit or authorisation). If such requirements of the Cabinet Regulation are not complied with, supervising and law-enforcement institutions, as well as the National Armed Forces and State security institutions may request that the flight is interrupted;
- drone flights may only be performed within a safe distance from the persons not involved in the flight and the property on the ground and also from other users of the airspace. If the drone disturbs other users of the airspace, the pilot immediately keeps out of the way of other users.
- on 1 January 2018, the following provision enters into force: if total take-off mass of the drone exceeds 1.5 kg (for example, according to information provided by the manufacturer the weight of a *Phantom 3 Standard* drone is 1216g) its owner has to obtain third party liability insurance coverage;
- drone flights may be performed during a time period between sunrise and sunset, i.e., during light hours;
- drone flights may be performed not closer than 50 m from the place of a public event, meeting, procession or picket. For flights over the place of such events, a written approval of the person responsible for organising the event is required, and after that the person responsible for the event co-ordinates the drone flight with the local government;
- restrictions are applicable to flights over prisons, military and infrastructure facilities, infrastructure facilities that are related to ensuring public order and security, State border security and civil protection (concrete places are specified in the annexes to said Cabinet Regulation);
- drone flights are allowed not closer than 5000 m from each runway threshold of the aerodrome (in some cases if the respective permit has been obtained, the flights are allowed not closer than 3000 m);
- if the drone flight is performed in the controlled airspace, an observer should be invited (an individual who has reached the age of 18 and provides support to the pilot for ensuring a visual contact with the drone and performance of safe flight);



- a person who has not reached 18 years of age may perform the duties of a pilot of a drone with supervision by a person who has reached the age of 18 years, except for the case if the total take-off mass of the drone does not exceed 0.5 kg and it is not able to reach the height exceeding 50 m;
- it is prohibited to fly a drone or carry out duties of an observer if the blood alcohol concentration exceeds 0.2 per mille or being under the influence of narcotic, psychotropic or other intoxicating substances;
- drone flights in the Republic of Latvia may be performed in the height which does not exceed 120 m above the ground (with some exceptions, for example, if a permit is obtained to perform flights around certain aerodromes, the height may not exceed 50 m). Drones may fly over inhabited places if its weight does not exceed 1.5 kg;
- if drones are used only for recreation, sports and special aerial works to be performed by an unmanned aircraft and if all restrictions laid down in the Cabinet Regulation are complied with, there is no need to obtain an authorisation from the Civil Aviation Agency for drone flights. In other cases, including those that have not been specified in the Cabinet Regulation, an authorisation must be obtained from the Civil Aviation Agency; furthermore it is necessary to obtain an authorisation if the drone is to fly in the airspace that is subject to restrictions for use as per the Cabinet Regulations (for example, certain places of the aerodrome);
- if a pilot has lost control over command of the drone and there is a risk that thus threats could be caused to the safety and security of flights of other users of the airspace of the Republic of Latvia (for example, the drone exceeds permissible height of the flight, the flight continues beyond visual line-of-sight, the drone flies in a controlled airspace), the pilot must immediately notify *Latvijas gaisa satiksme* by contacting them as specified on the website of *Latvijas gaisa satiksme* [www.lgs.lv](http://www.lgs.lv). If there is a risk that the drone may cause threat to human life, health, property, also cause harm to the environment, the pilot has to immediately call to the single emergency call number 112.

All the foregoing leads to a conclusion that there no strict restrictions or conditions for the use of drones to date; however, given the fast growth of the drone industry and popularity, in particular so that they become more and more affordable and available for the general public, years to come may bring more regulation applicable to flying of drones. However, while this has not occurred yet, use your drones in a responsible manner and, most important, enjoy possibilities they offer.