



## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Docket No.: FAA-2022-0077; Summary Notice No. -2023-44]

### Petition for Exemption; Summary of Petition Received; Kiwi Technologies, Inc. d/b/a Guardian Agriculture

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation (DOT).

**ACTION:** Notice.

**SUMMARY:** This notice contains a summary of a petition seeking relief from specified requirements of Federal Aviation Regulations. The purpose of this notice is to improve the public's awareness of, and participation in, the FAA's exemption process. Neither publication of this notice nor the inclusion nor omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

**DATES:** Comments on this petition must identify the petition docket number and must be received on or before [INSERT DATE 20 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** Send comments identified by docket number FAA-2022-0077 using any of the following methods:

- Federal eRulemaking Portal: Go to <http://www.regulations.gov> and follow the online instructions for sending your comments electronically.
- Mail: Send comments to Docket Operations, M-30; U.S. Department of Transportation, 1200 New Jersey Avenue, SE, Room W12-140, West Building Ground Floor, Washington, DC 20590-0001.
- Hand Delivery or Courier: Take comments to Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE, Washington, DC 20590-0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- Fax: Fax comments to Docket Operations at (202) 493-2251.

**Privacy:** In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to <http://www.regulations.gov>, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <http://www.dot.gov/privacy>.

**Docket:** Background documents or comments received may be read at <http://www.regulations.gov> at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE, Washington, DC 20590-0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Jake Troutman, 202-683-7788, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on November 9, 2023.

Brandon Roberts,  
Executive Director,  
Office of Rulemaking.

## PETITION FOR EXEMPTION

**Docket No.:** FAA-2022-0077

**Petitioner:** Kiwi Technologies, Inc. d/b/a Guardian Agriculture

**Section(s) of 14 CFR Affected:** §§ 61.3(a)(1)(i), 91.7(a), 91.119(c), 91.121, 91.151(b), 91.403(b), 91.405(a), 91.407(a)(1), 91.409(a)(1), 91.409(a)(2), 91.417(a), 91.417(b), 137.19(c), 137.19(d), 137.19(e)(2)(ii), 137.19(iii), 137.19(v), 137.31, 137.33, 137.41(c), 137.42.

**Description of Relief Sought:** Guardian Agriculture seeks to amend their existing grant of exemption, Exemption No. 18866, which provides relief necessary to operate an electric vertical take-off and landing (eVTOL) multi-rotor aircraft designed to conduct Part 137 agricultural spraying operations in rural low-risk operating environments in Class G airspace. The proposed amendments, if granted, would allow the petitioner to: (1) increase the maximum takeoff weight (MTOW) of its SC1 uncrewed aircraft (UA) from 494 pounds (lbs.) to 645 lbs.; (2) reduce the required standoff distance to operate closer than 500 feet from vessels, vehicles, and structures; (3) allow for UA night operations; (4) increase the maximum UA airspeed from 25 knots (kts) to 45 kts; (5) eliminate the requirement that a visual observer (VO) be used for all operations, and; (6) allow the pilot in command to hold a third-class medical certificate in lieu of a second-class medical certificate.

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