



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. FAA-2026-1100]

Implementing Section 927 Waiver Process for Certain Unmanned Aircraft Operations

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

ACTION: Notice.

SUMMARY: As a part of the FAA Reauthorization Act of 2024, Congress authorized FAA to enable unmanned aircraft operations through waivers to applicable federal aviation regulations instead of initiating regulations or requiring operators to seek regulatory exemptions. This notice explains how FAA will implement that authority.

FOR FURTHER INFORMATION CONTACT: General Aviation and Commercial Branch, Emerging Technologies Division (AFS-700), 800 Independence Ave. SW, Washington, DC 20591, 927waivers@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

Operations involving UAS that do not fit within the parameters of FAA regulations for unmanned aircraft must operate subject to FAA regulations that apply broadly to all aircraft. Many of these regulations are either not appropriate for unmanned aircraft or are impossible for unmanned aircraft operators to comply with because they were designed to apply to traditional, manned aircraft. To enable these unmanned aircraft operations, the FAA must grant regulatory relief.

In the FAA Modernization and Reform Act of 2012 (Pub. L. 112-95), Congress enacted Section 333, which directed the Secretary of Transportation to determine whether certain unmanned aircraft systems (UAS) could safely operate in the national airspace and to decide if a certificate of waiver, certificate of authorization, or airworthiness certification under 49 U.S.C.

44704, was necessary for their operation. FAA issued the first approval under Section 333 in 2014.

In 2016, FAA issued part 107 authorizing certain routine civil operations for unmanned aircraft weighing less than 55 pounds at takeoff, including payload. FAA expanded that authority to allow routine operations over people and at night, subject to certain requirements. UAS also sometimes operate under part 91 with waivers.¹ These regulatory paths remain available to operators but are not the subject of this notice. Therefore, this notice will not discuss them further.

In the FAA Reauthorization Act of 2018 (Pub. L. 115-254), Congress replaced Section 333 with § 44807, Special authority for certain unmanned aircraft systems. This first iteration of § 44807 was similar to Section 333. Congress codified FAA's ability to authorize unmanned aircraft operations without issuing airworthiness or airman certificates, using a risk-based approach. FAA has used the 44807 exemption authority extensively to enable UAS operations that do not fit neatly within existing regulatory frameworks or to grant relief from statutory airworthiness or airman certificate requirements.

Congress enacted Section 927 of the Reauthorization Act of 2024 (Pub. L. No. 118-63), to give FAA a new tool for granting regulatory relief. Section 927 waiver authority provides an additional tool to complement — not replace — the exemption process to further integrate unmanned aircraft safely into the national airspace system (NAS). As UAS technologies mature, the framework for granting regulatory relief to enable them must also evolve and adapt. To that end, this notice describes the process FAA uses to determine whether a waiver under Section 927 is appropriate and, if appropriate, how FAA would process the request. This notice also explains FAA's rationale for determining whether relief should be granted as an exemption or a Section 927 waiver.

Discussion

¹ See §§ 91.903 (Policy and procedures) and 91.905 (List of rules subject to waivers).

Section 927 waivers and exemptions present two different paths to achieve the same objective: obtaining regulatory relief from regulations that would otherwise apply, to the extent consistent with aviation safety. Both pathways will result in a safety-based decision.

To request an exemption, an operator must follow the process described in 14 CFR part 11. Among other things, the petitioner must identify why the requested relief would not adversely affect safety or how it would provide a level of safety equal to the rule from which they are seeking relief. The petitioner must also demonstrate why the relief is in the public interest, that is, how it would benefit the public as a whole. FAA gives the public notice of the request for relief and offers an opportunity to comment.

When Congress enacted Section 927, it gave FAA authority to grant regulatory relief through waivers, irrespective of whether the regulation specifically authorized waivers or not. FAA's commitment to ensuring safety through Section 927 waivers remains the same as it does under its exemption authority. For that reason, FAA is adopting the same safety standard for section 927 waivers as it uses for exemptions: petitioners for a 927 waiver must show that operations under the waiver would not adversely affect safety or would provide a level of safety equal to the rule. However, a practical difference is that FAA may grant regulatory relief without requiring the petitioner to show that a specific petition's requested relief would benefit the public as a whole.

Notably, Congress did not repeal or eliminate FAA's authority to issue exemptions to enable unmanned aircraft operations. These alternate avenues for regulatory relief, with the particularities of their processes, remain available to UAS operators. For instance, exemptions, including the requirements to provide notice and opportunity for public comment, remain important tools for enabling certain unmanned aircraft operations. However, as explained in more detail below, stakeholders — including the public — do not always derive benefits from the notice, comment, and public interest requirements. In some cases, FAA can address the appropriate safety concerns more efficiently and effectively through the Section 927 waiver

process without affecting safety. The purpose of this notice is to describe the process FAA uses when evaluating whether a Section 927 waiver or a traditional exemption is the appropriate tool for granting regulatory relief.

Process

FAA identified four considerations to use when evaluating whether the Section 927 waiver process is the appropriate path for relief. Safety, efficiency, and enabling innovation form the bedrock of these eligibility considerations. Some scenarios could present all four considerations, while others could present just one.

1. Minimal Impact.

Operations with minimal public impact or that are unlikely to garner significant public interest may be better handled through the Section 927 waiver process. Some unmanned aircraft operations would not significantly affect the public or other airspace users. The reasons can vary. They can be time-limited, geographically constrained, or minimally intrusive. For example, aircraft operating in a closed testing environment are unlikely to affect the public or other stakeholders. Similarly, operations to test new equipment or components can be limited in scope and duration to avoid having an impact on the public or other stakeholders.

When considering whether an operation would have minimal impact, the following questions would be relevant to FAA's analysis:

- Would the operation generate significant public interest? Equipment, operating procedures, timing, location, and duration of operations could be factors.
- Would the operation affect public stakeholder equities? For example, would the public or other airspace users have to adjust or change routine activities?
- Is the purpose of the operation to demonstrate or test new products or operating procedures?
- Are public stakeholders likely to provide useful information to inform FAA's decision?

For example, public engagement during research and development may be premature.

Similarly, public engagement might not be necessary because limited operations may be unlikely to affect the public or other stakeholders.

2. High-Value, Limited Use Case.

High-value, limited use cases are those that are used infrequently but nonetheless provide important societal benefits. These use cases typically involve activities that do not require broad regulatory change, but the societal value they bring merits regulatory flexibility. For example, an operator could seek regulatory relief to conduct important public safety operations such as disaster relief, first responder, or search and rescue missions. These types of operations tend to be limited to specific situations and provide an overwhelming benefit to members of the public when they are most vulnerable and in need. In those circumstances, FAA would consider — based on the safety case presented and the high value benefits — whether public stakeholders would be likely to provide information that would help inform FAA’s decision.

3. Emerging Use Case.

Emerging use cases are those that introduce new technologies or types of operations, often without precedent. These use cases play a role in supporting industry-led, U.S.-based emerging technology innovation. American drone dominance depends on U.S. agencies accelerating testing and safe commercialization of drone technology. *See* Executive Order 14307, Unleashing American Drone Dominance, June 6, 2025. To meet these policy objectives, FAA would consider — based on the safety case presented and the benefits to domestic drone dominance — whether public stakeholders would be likely to provide information to help inform FAA’s decision.

FAA would also consider whether an iterative authorization process would help incubate innovative safety concepts for the emerging use case. For example, for FAA to learn from and to keep pace with the constantly evolving and iterative technology cycle, FAA’s authorization cycle will also have to be iterative. In these cases, public input might not provide information likely to inform FAA’s decision without unduly delaying the technological innovation cycle. In these

cases, the Section 927 waiver process would balance the need for flexibility to keep pace with technological adjustments with the benefits of public input.

The following questions would be relevant to FAA's consideration:

- Does the operation involve new technologies or operations?
- Does the operation require an iterative approach to authorizations to incubate innovative technologies?
- Would the operation play a role in developing the domestic drone industry by keeping research, developing, and testing in the United States, or for other reasons?
- Would it be possible to solicit meaningful public input without releasing proprietary information?
- Would public input otherwise be premature at this stage?

4. Other Safety Considerations.

Safety is FAA's highest priority. Accordingly, FAA will consider whether the Section 927 waiver process would contribute to a better safety outcome. FAA does not expect these cases to arrive frequently; however, the agency would be remiss if it did not account for them. To be clear, FAA's process for analyzing the safety of a particular operation remains the same irrespective of whether an applicant pursues a Section 927 waiver or an exemption: either case would result in specific conditions and limitations to mitigate risk. Safety considerations may come into play in certain circumstances, however, such as when an operator needs a significant amount of lead time to prepare after receiving authority to operate.

For example, some operations have complex concepts of operations or safety protocols that may require more than the average lead time to set up or establish proficiency. Often, there is a correlation between the complexity of an operation, the risks involved, and the amount of time needed to prepare. In these cases, safety dictates that the operator receives its operating authority well in advance of their planned operating date so that all crew members have adequate

knowledge of and experience with the operating protocols they need to comply with the conditions and limitations.

FAA advises operators to petition for exemption at least 120 days in advance. Ideally, a petitioner would account for preparation time when deciding how far in advance to submit an exemption request. However, factors outside of the petitioner's control may limit their ability to build in that lead time. For example, an operator might accept a contract to provide services for a major concert or sporting event with a fixed date. Even if the event is more than 120 days away, the operator may need a significant portion of that time to prepare for a safe operation. In these circumstances, Section 927 waivers may be in the interest of safety because FAA would provide the same level of safety analysis while allowing the operator more time to prepare for safe operations.

Timing of relief is only one example of a potential safety issue that could benefit from a Section 927 waiver. At this point in time, FAA cannot foresee all possible scenarios under which pursuing a Section 927 waiver would be in the interest of safety. Prudence dictates that FAA account for unforeseen circumstances that may arise as unmanned aircraft technology and use cases evolve.

The following questions would be relevant to FAA's consideration:

- Does the exemption process timeline allow for a decision at least two weeks before the operation commences?
- How much preparation time does the operator require to safely implement the anticipated conditions and limitations?
- Are there operational factors that increase risk—such as operations over people, size of the aircraft, airspace considerations—that necessitate additional planning?
- Do other safety considerations suggest that a waiver would be more appropriate than an exemption?

Submitting a Request

To request a Section 927 waiver, an applicant should provide a robust explanation of why the request for regulatory relief is eligible for the Section 927 waiver process. The application should describe specific aspects of the proposed operation that align with one or more of the eligibility criteria and include facts, data, or examples that support eligibility. The applicant should also identify the specific regulations from which it seeks relief and provide a well-documented safety case to support the request.

To avoid delays in processing, the application should include the following:

- The extent of relief requested, and the reason the applicant seeks the relief.
- The reasons why granting the waiver would not adversely affect safety.
- The reasons why the request meets the requirements of § 44807(b), including how such unmanned aircraft systems, if any, as a result of their *size, weight, speed, operational capability, proximity to airports and populated areas, operation over people, and operation within or beyond the visual line of sight, or operation during the day or night, do not create a hazard to users of the national airspace system or the public.*

In addition, before submitting the waiver request, applicants should ensure the request contains the following information, if relevant:

- Concept of Operations
- Operations Manual
- Emergency Procedures
- Checklists
- Maintenance Manual
- Training Program
- Flight History (flight hours, cycles, accidents, etc.)
- Safety Risk Analysis

FAA always conducts a safety risk analysis and may also require applicants to submit their own safety risk analysis. Additional information about safety risk analysis is available

at FAA Order 8040.4, Safety Risk Management Policy and FAA Order 8040.6 UAS Safety Risk Management Policy. For more information on UAS, see: Unmanned Aircraft Systems (UAS) | Federal Aviation Administration.

Submit Section 927 waiver requests via email directly to: 927waivers@faa.gov.

Applicants can expect an initial response informing them whether their application is appropriate for the Section 927 waiver pathway. The FAA evaluation team may contact applicants for further information as needed. If at any point in the evaluation process, FAA determines the request is not eligible for a Section 927 waiver, FAA will redirect the applicant to an appropriate pathway to request regulatory relief. If FAA determines the request is eligible for a Section 927 waiver, FAA will conduct a safety evaluation and provide applicants with a final decision (approval or denial).

Frequently Asked Questions

1. May I apply for an exemption and for a Section 927 waiver at the same time to see which pathway provides an approval more quickly?

No, applicants must select either the exemption pathway or the Section 927 waiver.

2. If I have already applied for an exemption, may I withdraw my exemption and apply for a Section 927 waiver instead?

Yes; however, applicants enter the Section 927 waiver process on a first-come, first-served basis and would not receive priority or expedited treatment.

3. Will FAA conduct an abbreviated safety analysis for Section 927 waivers?

No, the safety analysis conducted for exemptions and for Section 927 waivers will remain identical.

4. Will both pathways provide similar types of relief, i.e., will the operational Conditions and Limitations posed by an exemption versus a Section 927 waiver be similar?

Yes, both pathways—irrespective of whether an exemption or Section 927 waiver—will provide regulatory relief based on the safety case. The safety analysis and resulting

operational parameters, including Conditions and Limitations, would not depend on the pathway for regulatory relief.

Issued in Washington, DC, on March 30, 2026.

Hugh Thomas,

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Flight Standards Service.

[FR Doc. 2026-06297 Filed: 3/31/2026 8:45 am; Publication Date: 4/1/2026]