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September 23, 2014

Michael P. Huerta
Director
Federal Aviation Administration
800 Independence Avenue SW
Washington, DC 20591

Re: Interpretation of the Special Rule for Model Aircraft
Docket No. FAA-2014-0396

[Transmitted electronically to www.regulations.gov.]

Dear Director Huerta,

On behalf of the one million members of the National Association of REALTORS® (NAR), I am writing in response to the Federal Aviation Administration's (FAA) Interpretation of the Special Rule for Model Aircraft [Docket No. FAA-2014-0396]. NAR is the United States' largest trade association, representing over one million real estate professionals, 54 state and territorial associations and more than 1,400 local associations. The National Association of REALTORS® supports the FAA's efforts to safely and expeditiously integrate Unmanned Aerial Vehicle (UAV) technology into the National Air Space (NAS). While safety and privacy concerns presented by UAV technology are NAR's primary concerns, our members are also concerned about current FAA policy that prohibits any commercial use of this technology and hinders the growth of many industries. NAR supports regulation that allows industries to use this technology to enhance business development but also wants to ensure that any future regulatory framework is not so burdensome and expensive as to prevent UAVs from being used by industries that can benefit from its use. NAR encourages the FAA to comply with the statutory directives issued by Congress in the FAA Modernization Act of 2012.

UAV technology has an incredible array of uses. Law enforcement, environmental scanning, geographical surveys and disaster recovery assessments are just some of the applications where UAV use would allow people and businesses to get information and images in an easy to use, efficient and cost-effective manner. The potential of using UAV technology to collect images is also a game-changer for the real estate industry.

Using images of a property recorded by using UAV technology is a creative and dynamic way to present that property. In the residential context, images captured by an UAV will give homebuyers a sense of the overall neighborhood and street structure. A buyer can then evaluate the home's site and location in the context of the neighborhood and community. Is the neighborhood school walkable, or is that half-mile path listed on a map an unsafe route? Information that could previously



only be read or heard about can now be brought to life using images obtained through use of UAV technology.

Most commercial properties, such as a shopping center, an office building or a restaurant, often can't be seen as a whole. Using images taken from an UAV can help the real estate professional present complex properties for marketing purposes. The ability of a potential buyer to examine a several thousand square foot office building, including exterior walls, parking structures, roof, and other fixtures from the safety and comfort from his or her office is an invaluable advantage afforded by the use of UAV technology.

The same benefits also apply to land sales. REALTORS® often work on deals with properties that are hundreds or thousands of acres of farmland, timber, or undeveloped land. Being able to quickly show the property with photos and videos obtained through UAV technology is truly the next step in real estate marketing. Potential buyers can see the topography, geography, hydrogeology features, as well as examine what plants are growing and what animals live on the property. Spending a few minutes looking at the images collected from an UAV is more efficient and safer than spending hours or days driving around a property or even flying above it in a chartered plane or helicopter.

Anyone making a real estate purchase or entering into a lease can benefit from the images obtained by using an UAV. The images represent yet another tool for a real estate professional to use to help a consumer make an informed decision. UAV-obtained images are a cost-effective way to get more information to the consumer. The cost is very small compared to existing methods, such as driving around a property or using a private helicopter or airplane. Additionally, this technology will especially benefit those relocating. The benefits to consumers such as military families moving to a new assignment, young adults moving for their first jobs, or a retiree purchasing their dream home at the beach are real. Just like online listings and 360 degree virtual tours, UAV-obtained imagery is a further advancement of technology that puts brokers and agents in a better position to serve their clients, and the consumers in a better place to make an informed decision.

UAV technology also has environmental benefits that may not be immediately apparent. Battery-powered UAVs are more energy efficient than using other modes of transportation for property viewing or aerial photography. Powering the battery to operate a small UAV safely for one hour emits much less pollution, including CO₂, than fueling vehicles, planes or helicopters. Consumers' ability to view a robust video of a property minimizes the need for them to get into their car and drive to each property to inspect it, thereby further reducing vehicle miles traveled, saving energy, reducing traffic congestion and reducing pollution.

NAR believes that the FAA will use its authority to create effective regulation for ensuring a safe environment for people on the ground as well as other users of NAS. Just as the Department of Transportation regulates highway safety, NAR envisions a similar set of 'rules of the road' relating to UAV use. Strong, well-considered regulations that both permit business use of UAV technology and address safety and privacy concerns are urgently needed to eliminate the current atmosphere of confusion about what rules apply to UAV use.

NAR supports regulation that is appropriate for real-world use of UAV technology; regulation that permits businesses to use UAV technology while maintaining safety in the NAS and privacy of citizens. Overly burdensome regulation would be detrimental to both the FAA and the development of business use of UAVs. Proper regulation would limit the compliance effort required, both administratively and financially, for UAV operators, the FAA, and other agencies with oversight.

Use of UAV technology by the real estate industry is simple compared to other applications such as land surveying or law enforcement. The use of UAV technology would be limited in scope to the property itself. Properly written regulation would permit the use of UAV technology within the real estate industry, while maintaining safety in the NAS and privacy of citizens.

NAR notes that the FAA materials discussing this issue have made a common mistake and misused NAR's REALTOR® trademarks. The terms REALTOR® and REALTORS® were first used in 1916 by NAR to identify

members of the organization. NAR applied for and received federal trademark protection for REALTOR[®] and REALTORS[®] under the Lanham Act in 1950 (Reg. No. 519789) and 1949 (Reg. No. 515200).

The REALTOR[®] Marks are not synonyms for real estate agents, real estate brokers, or other real estate professionals. Instead, the REALTOR[®] Marks should only be used when identifying someone as a member of NAR. This type of misuse is easily eliminated by replacing the incorrectly used REALTOR[®] Mark(s) with an appropriate job title, such as “real estate agent.”

In closing, NAR looks forward to working with the FAA to support mutual education about the realities of UAV use from both the REALTOR[®] and FAA perspectives. NAR is excited to create materials and resources that will inform REALTORS[®] about safe and responsible use of UAV technology. NAR is committed to fostering an environment for safe and responsible UAV operation.

Sincerely,

A handwritten signature in blue ink that reads "Steve Brown". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Steve Brown
2014 President, National Association of REALTORS[®]