

Governance of Emerging Technologies Conference (GETS) 2020 Abstract Submission

DRONE HIGHWAYS, AIRSPACE FEDERALISM, AND EMERGING ISSUES IN AERIAL LAW

Brent Skorup

Senior research fellow

Mercatus Center at George Mason University

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Commercial drone companies have completed tens of thousands of flights in countries like Japan, China, Switzerland, and Rwanda for agricultural uses, deliveries in rural areas, and for medical deliveries. There are also some early pilot projects in the US. Drone delivery in the US one day promises to reduce car trips, reduce unsafe inspections, and improve medical and consumer delivery times. US regulators and drone operators, however, have to contend with a busy national airspace, nearly 20,000 large and small airports, and federalism issues surrounding the regulation of low-altitude airspace. Initially, at least, commercial drone delivery will operate along “drone highways”—dedicated aerial corridors. This presentation will first cover the state of drone technology. The presentation will then explore future federal-state tensions over drone airspace regulation. The presentation will explain why several states, using decades-old right-of-way and easement agreements, could likely create drone highways today. Also covered will be proposals, described by the GAO, Rand, and others, for leasing aerial corridors to commercial drone service providers. Finally, the presentation will touch on the technology behind and government plans surrounding “unmanned traffic management” (UTM) systems, which will serve as automated air traffic control for drones.