



## **NTSB Remands Administrator v. Pirker Case Back to ALJ for Further Review**

November 18, 2014

WASHINGTON – The National Transportation Safety Board announced today that it has served the FAA and respondent Raphael Pirker with its opinion and order regarding Mr. Pirker's appeal in case CP-217, regarding the regulation of unmanned aircraft. In the opinion, the Board remanded the case to the administrative law judge to collect evidence and issue a finding concerning whether Pirker's operation of his unmanned aircraft over the campus of the University of Virginia in 2011 was careless or reckless.

The FAA appealed an NTSB administrative law judge's decision after the judge dismissed the FAA's order requiring Pirker to pay a civil penalty of \$10,000 for allegedly operating an unmanned aircraft in a careless or reckless manner. In his decision, the judge compared Pirker's unmanned aircraft to a model aircraft, and found the FAA had not enacted an enforceable regulation regarding such aircraft.

In reaching its decision, the Board determined the FAA may apply the regulation that prohibits operation of an aircraft in a careless or reckless manner to unmanned aircraft. To determine whether Pirker violated this regulation, however, the Board stated an administrative law judge would need to review evidence showing the operation was careless or reckless.

The public may view the opinion and order on the NTSB website, at <http://www.nts.gov/legal/pirker/5730.pdf> .