

Submission 150 – Colin

Remote Identification Discussion Paper for Public Consultation: Department of Infrastructure, Transport, Regional Development, Communications and the Arts.

Thank you for the opportunity to respond to the Remote Identification Discussion Paper for Public Consultation.

Firstly I would just like to say that I whole heartedly support safety in our skies, safety for members of the public and property, as well as ensuring privacy during any use of remotely piloted air system (RPAS).

I also acknowledge that there are some public concerns around this - though believe these are mainly down to drone operation being an unknown, and that a greater public awareness and education could elevate this.

I've been flying and operating drones commercially over the past 4 years under CASA's 'Excluded Category, both as Commercial Photographer/Videographer and a Visual Artist, and during this time I've had the privilege of having some great conversations with members of the public around either alleviating concerns around safety, privacy, & regulations, or around promoting CASA's regulations on how to operate and fly drones safely, as well as educating members of the public around air space recognition and things people may need to know if looking to get into drone operating, either recreationally or commercially.

- Remote ID in the USA, FAA's version:

I think Australia is in a highly privileged and unique position of being able to observe the USA & the FAA's implementation of their version of Remote ID, and the reaction (and fallout) that has happened since.

A large and vocal part of the drone and model aviation in the USA are advocating non-compliance due to how the FAA propose Remote ID implementation and safety concerns for drone operators due to the FAA's implementation of a BRID (Broadcast Remote ID) system allowing the general public to be able to pinpoint a drone pilot. The main concern here is fear of uninformed members of the public taking steps to stop a drone operator because of a 'perceived issue', when the drone is actually being flown within regulations.

Needless to say, if a significant and vocal group is promoting 'non compliance' rather than adopting Remote ID, the question needs to be asked about how successful the implementation is, and will it ensure safer skies?

(Another way of asking this question may be, "Is remote ID the way to make the skies safer?")

As stated above, I'm for ensuring safety, privacy and legal use of drones within Australian Air Space.

I do feel however that the proposed Remote ID in its current form will not achieve its desired outcomes of making the skies safer or preventing illegal drone use here.

The concerns I have are around the following:

- Remote ID is not ADS-B (Automatic Dependent Surveillance - Broadcast).

ADS-B is designed so that traditional aircraft can be detected and seen by other aircraft and air traffic control. Remote ID for drones is not this and does not communicate with ADS-B.

In the "Remote Identification (Remote ID): Discussion Paper for Public Consultation (June 2023) says (one of the aims of Remote ID is to):

"Increased situational awareness to prevent mid-air collisions with traditional aircraft and other aircraft" (P8, Point 5: Users, uses and benefits:)

This point seems to both misunderstand what Remote ID in its current form does and can do, and misses what current drone operations already ensure.

Remote ID, either BIRD or NRID will not communicate with ADS-B or vice versa.

It will not therefore give drone pilots better situational awareness of manned aircraft (or future UAV's) or vice versa for pilots of manned aircraft and Air Traffic Control (ATC).

However asking drone operators to carry a ADS-B detection system, could at at least mean drone pilots were aware of manned aircraft fitted with ADS-B flying in the local vicinity.

CASA also has current regulations that prevent drones from flying in the same airspace as manned traditional aircraft, giving a buffer between between the two. For example, drones cannot operate above 400ft (120m) and conventional manned aircraft, for general aviation, needs to operate above 500ft (152m) (with commercial operating above 1000ft), providing a safety buffer between the max flight ceiling of drones and the base flight height for traditional manned aviation. There are also further regulations around flying near airports (controlled and uncontrolled), helipads, restricted airspace about landing drones if you see or hear a traditional manned aircraft in the vicinity.

- Remote ID seems more about tracking the use of drone pilots, rather than promoting and growing safe operations.

The standpoint of the current Remote ID proposal in Australia seems to be based around: “identifying drone operators and holding them accountable for their actions” (p6, Introduction, Remote ID Discussion Paper June 2023).

From the outset, this seems to imply a negative stereotype, stigma or misconception that drone operators are nefarious and up to no good, which as this is coming from the Department of Infrastructure, Transport, Regional Development, Communications and the Arts is a little disheartening.

This too I believe misses out on some of the amazing opportunities for innovation, and benefits to economy and promotion of Australia that drones are able bring. I believe education here might help elevate this misconception and even promote innovation, something that Australia is known for!

- Concerns around who has access to Remote ID information?

I would be happy with Law Enforcement or CASA having the only access to the Remote ID information as they are the responsible/mandated organisations established to enforce improper or misuse of airspace and drones.

The example of Remote ID being similar to a car’s license plate is used, and here, only the approach organisations/departments have access to the information connected to a cars license plate. The general public do not have access to this (as BRID would do).

If Remote ID is to help the general public report misuse of drones, there are currently already avenues for this also both with CASA and the Police. And promotion, education and better resourcing of this might help here.

However without an understanding of the actual regulations, what benefit would it be to give the general public access to where a drone pilot is, other than for them to take matters into their own hands? (Again this is the concern in the USA with the FAA’s Remote ID)

Would the department be responsible if BRID was implemented and a member of the public acted on a drone operator due to an uninformed or uneducated assumption about drone regulations?

- “Helping Track illegal or noncompliant drone use and report potentially suspicious drone activity to relevant authorities for further action.” (Page 8 Point 5)

Whilst I welcome work around stopping illegal, suspicious and dangerous drone use, and making it easier for authorities to take action - I’m not sure if either version (BRID or NRID) of the proposed Remote ID will impact this? (Again maybe education may stop unintentional misuse of drones?)

If we use car license plates as an example again, someone setting out to do something illegal or nefarious, often a stolen number plate or car is used to help hide the identity of the operator.

Could it simply be that someone setting out with the intent to do the same with a drone, might simply either employ a 'jamming' method on the Remote ID (something as simple as adding foil over a Remote ID chip), not installing the Remote ID chip on a drone, or using a stolen chip/drone to implicate someone else or hide criminal or suspicious activity?

Again I'm not against the above statement - I just am unsure that Remote ID in its current proposal, will stop this if someone is setting out to do something intentionally wrong, and wonder if it Remote ID will simply impact RPAS pilots who are looking to do the right thing?

A second concern here is if a drone operator is operating with Remote ID, near someone who is not complying and doing something illegal or dangerous - what would the implications be for the operator who is flying with remote ID. Could they be blamed as the pilot of a different drone?

- Potential 'Spoofing' for nefarious actors:
Another concern might be around the misuse of broadcasting via a 'spoofing device' (to artificially broadcast 'fake' drones, in order to 'block' actual drones locations or simply to cause other issues).
- "Helping Educate the community around local laws and regulations relating to drone use."

Personally I don't think Remote ID will achieve this.

I don't understand how implementing a method of broadcasting a drone and drone operators location will help educate the wider community?

Remote ID is a device to identify someone and their flight. Again, similar to a license plate, this doesn't educate on road rules.

Rather than Remote ID for this, a national awareness campaign specifically targeted around raising awareness of drones, drone rules and operations, furring education in schools (especially as this is a potential pathway in to Aviation and understanding airspace) could achieve this outcome more substantially and significantly.

- Would BRID be the only Nationally viable Remote ID method in Australia?

With regards to Remote ID implementation, one concern I have is that due to the size and vastness of Australia, Network Based Remote ID (NRID) may be more

problematic and not feasible with larger areas of the country having no mobile coverage and only satellite connection.

If then Broadcast Remote ID (BRID) was chosen, how would the Dep of Infrastructure ensure that this information only went to the appropriate agencies and not simply broadcast to the general public?

- Conclusions:

The challenge with Remote ID is that the people who may intentionally or unintentionally fly outside of RPAS might possibly be those who also don't uptake Remote ID regulations.

Where is the information going? And who has access to it, seem unprecedented when compared to other forms of transport/infrastructure (when looking at current implementations of Remote ID in other countries).

I feel that better education for drone use in the general public, may not only save a lot of money, but also better promote and drive innovation and commerce around drone use.

Greater consultation with drone operators I believe would also be a good step forward here before implementing Remote ID.