



Can a drone legally fly over people, and fly at night?

Over people and after dark — every check with its rule number. Rule text verified 6 September 2026.

1 1. BEFORE THE FLIGHT PLAN CLOSES

- ☐ Name the door the aircraft enters through: Category 1, 2, 3 or 4. 107.105
- ☐ Category 1 runs on weight: 0.55 lb (about 250 g) at takeoff and throughout, counting everything attached, with no exposed rotating parts that would lacerate skin. 107.110(a)
- ☐ Categories 2 and 3 run on an injury reference: a transfer of 11 foot-pounds of kinetic energy for Category 2, 25 foot-pounds for Category 3. Each also requires no exposed rotating parts that would lacerate skin and no safety defects. 107.120(a), 107.130(a)
- ☐ Confirm the aircraft, as modified, is listed on an FAA-accepted declaration of compliance for the category claimed. 107.115(a)(2)
- ☐ Pull the FAA list before this job: an aircraft named on a rescinded declaration stays on the ground while the rescission stands. Record the date checked. 107.160(d)(1)
- ☐ For an open-air assembly with sustained flight: Category 1, 2 or 4, plus Remote ID under § 89.110 or § 89.115(a). Each of those categories carries the condition in its own section. 107.115(b), 107.110(b), 107.140(a)(2)
- ☐ For night: knowledge test or training under § 107.65 completed after April 6, 2021, plus the anti-collision lighting. For the 30-minute civil twilight windows: the anti-collision lighting. 107.29(a)(1), 107.29(a)(2), 107.29(b), 107.29(c)
- ☐ Write down the call on "sustained flight", "open-air assembly", "closed- or restricted-access site" and "sparsely populated area" before takeoff. The quoted rule text carries these phrases with no definition beside them, and § 107.3 does not define them either. 107.115(b), 107.125(c), 107.25(b), 107.3

2 2. ON THE AIRCRAFT, BEFORE TAKEOFF

- ☐ Category label present on the airframe, in English, legible and prominent, and able to last the whole operation. If it is damaged, destroyed or missing, the remote pilot in command labels it. 107.135
- ☐ Weight checked as the aircraft will fly, with everything on board or attached, for any Category 1 claim. 107.110(a)(1)
- ☐ Anti-collision lighting fitted and lit: visible for at least 3 statute miles, flash rate sufficient to avoid a collision. The intensity may be reduced, never extinguished, when operating conditions make that the safer call. 107.29(a)(2), 107.29(b)
- ☐ Configuration fixed so the remote pilot in command cannot inadvertently switch between category modes or configurations. The rule puts that on the design of the aircraft. 107.150



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3 3. THE PEOPLE UNDER THE AIRCRAFT

- ☐ Each person under the flight path is directly participating in the operation of the aircraft, is under a covered structure, or is inside a stationary vehicle that can provide reasonable protection from a falling aircraft — or the category carries the flight. 107.39
- ☐ Category 3: within or over a closed- or restricted-access site with the people on it on notice, or no sustained flight over any human being except one directly participating in the operation or under a covered structure or inside a stationary vehicle that can provide reasonable protection from a falling aircraft. 107.125(c)
- ☐ Category 3 keeps open-air assemblies outside the category, Remote ID or not. 107.125(b)
- ☐ People inside moving vehicles: a category under 107.145(a), and for Categories 1 through 3 also 107.145(b) — within or over a closed- or restricted-access site with the people inside the vehicles on notice, or no sustained flight over moving vehicles. 107.145

4 4. THE REST OF THE FLIGHT, EVERY TIME

- ☐ The aircraft stays visible to unaided eyes throughout the entire flight — corrective lenses only. 107.31(a)
- ☐ If a visual observer is used, effective communication runs at all times, and the remote pilot in command makes sure the observer can see the aircraft the way 107.31 specifies. Carry radios. 107.33
- ☐ One person, one aircraft: controls, remote pilot in command, and visual observer alike. 107.35
- ☐ Yield to all aircraft, airborne vehicles, and launch and reentry vehicles: give way, and pass only when well clear. 107.37(a)
- ☐ Operating from a moving land or water-borne vehicle: over a sparsely populated area, and carrying no property of another for compensation or hire. 107.25(b)

5 5. WHEN THE CATEGORY ROAD CLOSES

- ☐ 107.39 is on the waiver list: apply for a certificate of waiver, with the complete description of the operation and the justification the rule requires. 107.205(g), 107.200(a), 107.200(b)
- ☐ The waiver list reaches ten sections. One of them is 107.145, at 107.205(j); the four category sections stand as written. 107.205, 107.205(j)
- ☐ A waiver of the visual line of sight rule carries its own written ceiling: carriage of another person's property for compensation or hire stays outside it. 107.205(c)



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Planning aid, not legal advice and not an authorization. The regulations and the permits cited here are the authority; this card points at them. Read against the sources on 6 September 2026. Confirm anything that decides a flight against the source itself before you fly.

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