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# Have drone ascents authorised by the aviation authority

Heruntergeladen am 21.06.2025

<https://fimportal.de/xzufi-services/6001413/L100009>

Modul	Sachverhalt
Leistungsschlüssel	99080048000000
Leistungsbezeichnung I	Have drone ascents authorised by the aviation authority
Leistungsbezeichnung II	Have drone ascents authorised by the aviation authority
Typisierung	1 - Bund: Regelung und Vollzug
Quellredaktion	Sachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	

Modul	Sachverhalt
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	
Teaser	<p>You may only operate drones in the "open" operating category without a licence under aviation law if this does not endanger public safety and order or air traffic. If you do not fulfil the necessary conditions for permitted operation (see -&gt; Requirements), you can apply for a special permit from the relevant aviation authority.</p>
Volltext	<p>Application for a licence for unmanned aircraft in accordance with the German Air Traffic Regulations (LuftVO)</p> <p>You may only operate drones in the "open" operating category without a licence under aviation law if this does not endanger public safety and order or air traffic. If you do not fulfil the necessary conditions for permitted operation (see -&gt; Requirements), you can apply for a special permit from the relevant aviation authority.</p> <p>From an aviation law perspective, the operation of unmanned aircraft systems (UAS) is generally not subject to authorisation. This applies to drones with a take-off mass of less than 25 kilograms that you operate in accordance with the requirements of the corresponding subcategories A1, A2 and A3. In particular, you must maintain direct visual contact with the aircraft during the entire operation, may not allow it to rise higher than 120 metres and must maintain certain minimum distances. For flights over and within a lateral distance of industrial plants, federal highways and hospitals, as well as over nature conservation areas and residential properties, for example, as well as within 1.5 kilometres of the boundary of airfields and airports, you require separate approval from the competent authority, the operator of the facility or the</p>

## Modul

## Sachverhalt

authorised user or air traffic control.

Subcategories A1, A2 and A3

Subcategory A1

- not over crowds of people
- not over uninvolved persons

Subcategory A2

- Minimum distance of 30 metres from people
- Slow flight mode minimum 5 metres
- Compliance with 1:1 rule

Subcategory A3

- not over uninvolved persons
- Minimum distance of 150 metres from industrial, commercial, residential and recreational areas

The legal provisions of the EU Drone Regulation and national law for UAS operation in geographical areas apply (see -> Legal basis).

Operating licence for other categories

If the drone operation goes beyond the limits of the open EU category, an operating licence for the special operating category is required. The Federal Aviation Office (LBA) is the competent authority for this in the Free State of Saxony. Find out more on the LBA website.

## Erforderliche Unterlagen

An overview of all the required documents, details and descriptions can be found in the application form.

## Voraussetzungen

- "Drone driving licence": A1/A3 proof of competence or A2 remote pilot certificate (list of testing centres for remote pilots - PStF) -> all links see -> "Further information"
- Completion of (aviation) liability insurance
- Registration with the Federal Aviation Office (LBA)
- Labelling requirement: Attach the registration number to the drone

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Further requirements

As a remote pilot, you are obliged to

- prepare the flight properly,
- To observe data protection, personal rights and copyrights,
- not to violate the privacy of third parties.

You may only take off and land with the consent of the landowner or their authorised representative.

Non-compliance with aviation regulations, endangering third parties or violating data protection regulations may result in administrative offences or criminal proceedings.

Attention! You share the lower airspace with manned aircraft. For example, rescue or police helicopters can also fly below 120 metres! With drones of all kinds, you must always avoid manned aircraft (by reducing your altitude or landing).

**Kosten**

Fee range: from EUR 50.00 to EUR 3,500

**Verfahrensablauf**

If you are responsible for the operation of unmanned aerial systems (UAS) or their remote control,

- check on your own responsibility to what extent the European regulations and requirements and the national regulations for the planned UAS operation are complied with,
- inform yourself on the nationally standardised "Digital Platform for Unmanned Aviation (dipul)" to find out whether and which geographical areas are affected by the planned UAS operation.

In order to fulfil the necessary requirements for permitted UAS operations, the regulations in accordance with Section 21h LuftVO must be met (see -> Legal basis) and you must have obtained the relevant approvals.

Procedure under aviation law

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If you are unable to carry out authorised UAS operations (e.g. due to a lack of approval for a specific geographical area), you can apply for an exemption permit under aviation law.

- You can obtain the required form here via Amt24 (see -> Forms and other offers).
- Complete the application form in full, sign it and submit it with the required documents and evidence to the competent authority.
- After successful examination, you will receive a written notice of authorisation.

**Bearbeitungsdauer**
**Frist**

Application submission (with complete documentation): at least 14 days before the requested operating period

**weiterführende Informationen**
**Hinweise**

Drone ascents in the vicinity of airports

Ascents at a distance of less than 1.5 kilometres from the boundary of airfields and at airfields require the approval of the air traffic control centre or air traffic control. Within the controlled airspace, you may need to obtain air traffic control clearance.

In the control zones of Dresden and Leipzig Airports, air traffic control clearances are generally deemed to have been granted subject to the conditions, requirements and instructions of the general ruling (see below). If your UAS operation does not fulfil the conditions specified there, obtain an individual air traffic control clearance from the responsible air traffic control unit at least 14 working days before the planned flight

**Rechtsbehelf**

Objection (details in the notification)

**Kurztext**
**Ansprechpunkt**

**Modul**

**Sachverhalt**

Zuständige Stelle

Formulare

Ursprungsportal