

What do you need *before* applying for an unmanned aerial applicator license in NORTH DAKOTA?

No person may engage in the activity or business of aerial application without first obtaining an aerial applicator's license from the North Dakota Aeronautics Commission [[NDCC 6-02-02](#)]. The following processes are not conducted *by* the office of the North Dakota Aeronautics Commission but each section in blue **MUST** be satisfied *before* applying for an aerial applicator license in ND. Use the check list below to assist you while you work toward a license to aerial apply in North Dakota. Our office validates all certificates *before* granting a license.

There is preparation involved in collecting documentation and working with different agencies.

DO YOU HAVE

■ 1. FAA Part 107 Certification (Remote Pilot) | Unmanned Aircraft System (UAS):

In order to fly your drone under the FAA's Small UAS Rule (Part 107), you must obtain a Remote Pilot Certificate from the FAA. This certificate demonstrates that you understand the regulations, operating requirements, and procedures for safely flying drones.

- Find a Test Center: [PSI Exams](#)
- FAA Study Materials: [Part 107 Study Materials](#)
- [FAA Drone Contact Info](#) or call 844-FLY-MY-UA

DO YOU HAVE

■ 2. Aircraft Registration (Both State and Federal Require Registration):

Owners must register their UAS with the FAA via [FAA Drone Zone](#) if it weighs more than 0.55 pounds and **less than 55** pounds. Unmanned aircraft weighing **more than 55** pounds cannot use the FAA's online registration process and must register by [paper form](#) using AC Form [8050-1](#). Drones that will aerial apply in North Dakota also need to be registered at the [state level](#).

DO YOU HAVE

■ 3. FAA Part 107 and FAA 137 Exemptions:

After confirming that the dispensing you want to do by drone is in fact agricultural, and therefore subject to the Part 137 rules, the next step is to petition the FAA for an exemption from any relevant rules so that you can conduct your operation. For drones that weigh less than 55 pounds, including the weight of the substance to be dispersed, you will be seeking exemption from Part 107.36 (which prohibits using a drone to carry hazardous materials), as well as several Part 137 regulations. UAS that are greater than 55 pounds at takeoff will also need to get a Certificate of Authorization (COA). This COA and the requirements are included in the Exemption for UAS greater than 55 pounds. If you already have a **manned 137 operating certificate** and you want to add a UAS, you may contact the FAA Safety Team (FAAST) here: UAS137Certificates@faa.gov or 701-492-5800. The biggest difference in operations under 137 with the UAS is the requirement for an exemption. Exemptions are publicly available and searchable [here](#).

DO YOU HAVE

■ 4. FAA Part 137 (Dispensing Chemicals and Ag Products with UAS):

14 CFR Part 137 (Agricultural Aircraft Operations) governs the use of aircraft, including drones, to dispense or spray substances (including disinfectants). **For aerial applicators, the [Part 137](#) operating certificate is what legally authorizes the agricultural aviation business to perform agricultural aircraft operations.**

WHO TO CONTACT: (Direct questions here)

- FAA (anything related to drones)
- Call: (844) 359-6982
- Email: uashelp@faa.gov (UAS Support Center)

Note: The [Fargo FSDO](#) office does *not* handle any drone related inquiries but can confirm certificate status for pilots.
(701) 492-5800 | [Email](#)

There is a new streamlined process for new applicants applying for a [Part 137 UAS Certificate](#). Applicants are no longer required to go through their local [FSDO](#). First, complete form [FAA 8710-3](#). Once received, apply for an Agricultural Aircraft Operator Certificate (AAOC) by submitting that exemption number to UAS137Certificates@faa.gov for the FAA to begin the certification process. See the FAA's Frequently asked [Drone Questions](#).

Note: North Dakota Aeronautics Commission cannot assist with any FAA process. Please use the resources provided above.

5. NDSU Extension - Pesticide Applicator Certification Number:

To aerial apply, it is required that you have a current Pesticide Applicator Certification Number issued by NDSU Extension – Class: [Air](#)/Ground Core.

WHO TO CONTACT: (Direct questions here)

- [NDSU Extension Service](#) at (701) 231-6388
- NDSU Dept 7060 - PO Box 6050 - Fargo ND 58108-6050
- Lise.alves@ndsu.edu

• What is Pesticide Certification? (Private or Commercial)

- Pesticide certification is, simply put, the process in which an individual becomes certified to apply pesticides. The application of pesticides in the U.S. without certification is illegal and punishable by U.S. law. Certification differs between private and commercial applicators.
- <https://www.ndsu.edu/agriculture/ag-hub/programs/pesticide-certification-program/certification-info>

• The PAASS Program

- North Dakota Administrative Code [60-03-01-5.1\(4\)](#) states: A person holding an aerial pest control certificate shall attend a professional aerial applicators' support system ([PAASS](#)) program or other board-approved program at least once every three years. Proof of attendance at a PAASS program or other board-approved program must be received by the North Dakota state university extension service before recertification is issued.

• Obtaining Reciprocity Certification in North Dakota

- **If you want to apply a restricted-use pesticide in North Dakota**, you must hold a [North Dakota certificate](#). **A valid certification in another state may help you obtain a North Dakota certificate**, but it does not substitute for one.
- North Dakota may issue a certification on a **reciprocal basis**, without examination, to nonresidents who are certified to use restricted-use pesticides under an EPA-approved program. Whether reciprocity exists or not depends on other state's regulations and how similar they are to North Dakota. Eligibility for an individual holding a certificate is determined on a case-by-case basis. Contact [NDSU](#) for a reciprocity package.

6. REQUIRED ANNUAL SAFETY TRAINING FOR OWNER/OPERATOR OR CHIEF PILOT:

If PAASS was not attended, then the Owner/Operator or the Chief Pilot must satisfy this requirement by attending an approved alternative safety meeting. The objective is to ensure that the chief pilots and owner/operators of all aerial applicator businesses licensed in North Dakota receive continuing safety instruction that is **relevant, current, and verifiable**. Find out about that [here](#).

7. NORTH DAKOTA UNMANNED AERIAL APPLICATOR LICENSE:

After the criteria above are satisfied, you may now apply for a [North Dakota Unmanned Aerial Applicator License](#).

- Why is the North Dakota Aeronautics Commission involved?
 - **Anyone who sprays *by air* must follow all aeronautical regulations. Because of the 'AIR' component on your North Dakota Pesticide Certificate, you fall under the aeronautic requirements of the state, for which our office is the designated regulatory agency. Refer to [NDCC 6-02-02](#) and [our website](#).**

2301 University Drive
Building 22
Bismarck ND 58504



Mailing Address:
PO Box 5020
Bismarck ND 58502



Scan the QR Code
to access the links!

Call Us: (701) 328-9650 | Email Us: ndaero@nd.gov | Visit Us: aero.nd.gov/licensing/aerial-applicators