UNMANNED AIRCRAFT SYSTEMS (UAS)

A Brief Guide of Current Regulations and Guidelines

January 2016

State Regulations

FDOT regulates airports, promotes their development, and protects the approaches to Florida's aviation facilities by Florida Statute (F.S.). Independent of FDOT, UAS operators' rules are provided in Chapter 934.50, F.S., and regulate law enforcement, civil, business, and personal uses, as well as the liabilities associated with them.

Specifically, the following uses are prohibited:

Use of UAS by law enforcement to gather evidence or other information

Use of UAS to conduct surveillance of privately owned real property or the owner

However, the following uses are allowed:

- To counter a terrorist threat
- Law enforcement activity with a warrant
- For law enforcement in particular circumstances when swift action is needed
- A business or profession may use a drone to conduct reasonable tasks within the scope of that business' license
- To capture images of electric, water, or natural gas facilities
- For property appraisals
- For aerial mapping in compliance with FAA regulations
- To deliver cargo in compliance with FAA regulations
- To capture images necessary for the safe operation or navigation of a UAS, when used for purposes allowed under federal and Florida law

Airport's Responsibility

An airport is responsible for ensuring the safety of airport facilities and for managing airport lands, buildings, and infrastructure. Airports should understand the rules and regulations related to UAS operations at and in the vicinity of their airport and coordinate with the FAA and FDOT to ensure the safety of airport operations. Airports should notify local law enforcement and the FAA in the event of an unauthorized UAS operation in close proximity to the airport.

Local Law Enforcement Responsibility

Law enforcement is responsible for enforcing the laws and regulations as they relate to UAS operations. If a UAS operator is suspected of breaking FAA regulations, local Law Enforcement Agencies (LEA) are encouraged to conduct interviews, document the scene, collect any evidence, and notify the appropriate FAA Regional Operation Center. In addition to federal regulations, LEAs should be familiar with state (934.50, F.S.) and local regulations that may pertain to UAS operation within their jurisdiction.

Pilot's Responsibility

Pilots are in charge of operating aircraft in a safe manner and are ultimately responsible for the route and operation of aircraft in the sky and on the ground. Pilots should understand the rules and regulations of UAS and report any improper use or operation.

Community Responsibility

The community should understand the rules and regulations regarding airports and aircraft. Knowing the roles and responsibilities of those involved in aviation (the FAA, the airports, airlines, pilots, etc.) and how to contact them if needed will help ensure their safety and effective regulation. Community members should know the locations of airports in their area or contact the FDOT Aviation and Spaceports Office at (850) 414-4500 for more information.

More information can be found at:
www.dot.state.fl.us/aviation/uas.shtm

UAS Overview

An unmanned aircraft system (UAS) is an unmanned aircraft* (UA), commonly referred to as a "drone," with the associated support equipment, control station, data links, telemetry, communications, and navigation equipment necessary to operate it. Currently, the federal and the State of Florida governments have established regulations for UAS operations focusing on the following areas:

- **Federal Guidance - Safety Regulations**
- **State Guidance - Appropriate Use Regulations**

While both entities have major roles in providing guidance and regulation for UAS operations and management, other users, such as airports, law enforcement, and pilots are also important. UAS operators also have important responsibilities in the safe and appropriate operation of UAS within the National Airspace System (NAS).

The following sections provide an overview of the various regulations and responsibilities as they relate to each UAS operations entity.

**A UA is considered an aircraft under both 49 U.S.C. § 40102 and 14 C.F.R. § 1.1.*

WANT TO FLY A UAS?

Depending on use, your requirements may be different.

What type of user are you?

Public (Governmental)

Public Entity Examples
Federal, State, Local Agencies
Law Enforcement
Public Universities & Colleges

Public Operations Examples
Intelligence Mission
Firefighting
Search & Rescue
Law Enforcement
Aeronautical Research
Geological Research
Resource Mapping

→ Apply for Certificate of Authorization (COA)

→ Unless explicitly stated within your COA, adhere to the Federal UAS Operator Guidelines on Page 3

→ For more information on obtaining a COA, visit:

https://www.faa.gov/uas/public_operations/

Model Aircraft (Hobby or Recreation Only)

Model Aircraft Examples
The aircraft is flown strictly for hobby or recreational use. The operator must not be operating for profit in any capacity.

Model Aircraft Operations Examples
Photography (Personal)
Recreational Flying
Assess Personal Property

→ Adhere to Federal UAS Operator Guidelines on Page 3

Civil (Non-Governmental)

Civil Entity Examples
Private Business
Private Higher Educational Institutions
Fly for Hire Groups
Industry, etc.

Civil Operations Examples
Photography (for business)
Real-Estate Evaluation
Cargo

→ Apply for Section 333 Exemption*

or

→ Apply for Special Airworthiness Certificate (SAC) in Experimental or Restricted Category

→ Unless explicitly stated in your Section 333 Exemption or SAC, adhere to the Federal UAS Operator Guidelines on page 3

→ For information on obtaining a Section 333 Exemption or SAC, please visit:

https://www.faa.gov/uas/civil_operations/

*** Note**
Need airline transport, commercial, private, recreational, or sport pilot certificate to fly aircraft with 333 exemption.

Additional requirements needed for aerial photography for motion picture and TV industries for scripted closed set filming.

KNOW BEFORE YOU FLY

UAS operators are encouraged to be familiar with the Know Before You Fly Campaign which provides users with the information & guidance they need to fly safely and responsibly.

Know Before You Fly Campaign

B4UFLY SMARTPHONE APP

Use the B4UFLY app to determine if there are any restrictions or requirements in effect at the location where you want to fly.

www.faa.gov/UAS/b4ufly

Federal UAS Operator Laws & Guidance

The following federal laws and guidelines are provided for operators of UAS:

ALL UAS MUST BE REGISTERED WITH THE FAA!

Small UAS (those weighing more than 0.55 pounds but less than 55 pounds, including all attachments and payload, such as cameras) can be registered at:
www.faa.gov/uas/registration

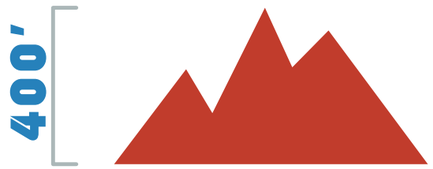
UAS weighing 55 pounds or more must be registered through a paper system. For more information, please visit: www.faa.gov/licenses_certificates/ aircraft_certification/ aircraft_registry/

Contact the airport or air traffic control tower before flying within five miles of an airport

Do not fly near or over sensitive infrastructure (e.g., power stations, correctional facilities, public roadways, etc.)

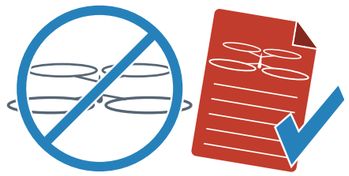
Operate UAS within visual sight at all times

Do not fly under the influence of alcohol or drugs



Operate UAS no higher than 400 feet and remain below surrounding obstacles

Must remain clear, and yield to all manned aircraft operations



Do not fly an UAS if it has not been registered with the FAA

Do not fly in adverse weather conditions such as high winds or reduced visibility