

# Drones/Unmanned Model Aircraft Procedure for Purdue University Fort Wayne

\*adapted from the Purdue University Standard Procedure

## Operating Procedure for Use of Drones, Unmanned Aircraft Systems, and Model Aircraft

### CONTACTS

*Subject: Clarification of Procedure*

*Contact: Gregory Justice, AVC of Facilities Management*

*Phone: 260.481.6787*

### APPLICATION OF THESE PROCEDURES

This procedure applies to all Purdue University operations within the US and where the FAA has authority. This includes, but is not limited to: faculty, staff, students, volunteers, clubs, and similar organizations and individuals who are operating or planning to operate UAS (unmanned aircraft systems) as part of their University employment or as part of any University-related research or activity. This procedure also applies to any third party or hobbyist that may operate a UAS on or over University Facilities. All persons operating a UAS on, over, or near University Facilities are responsible for complying with FAA, federal, state, and local regulations as well as applicable University policies at all times.

### PROCEDURES

- A. All operation and use of UAS must comply with FAA regulations, state and federal laws, and University policies at all times. Any operation or use of UAS that violates such regulations or laws is prohibited and it is the responsibility of the Operator to ensure that all such regulations or laws are adhered to. Failing to comply with any of these various regulations may result in significant fines and significant personal liability to the Operator. Please see: [https://www.faa.gov/uas/getting\\_started/](https://www.faa.gov/uas/getting_started/)
- B. With regards to Hobbyist/Model Aircraft operations:
  - a. Pursuant to FAA guidelines, Part 101, Subpart E, any Operator of Model Aircraft
    - i. Must contact airport/control tower before flying within five (5) miles of any airport. This area includes the entire Fort Wayne Campus in relation to Smith Field Airport.
    - ii. Not Applicable
    - iii. Shall not exceed a weight of 55 pounds;
    - iv. Shall not exceed an altitude of 400 feet above ground level;

- v. Shall not allow the aircraft to go beyond the visual line-of-sight;
  - vi. Shall not interfere with manned aircraft operations and must give the right-of-way to all manned aircraft;
  - vii. Shall not be flown in a careless or reckless manner; or
  - viii. Shall not be used to photograph or video record for compensation or sale to another individual.
  - ix. For more information on these and additional guidelines, visit [https://www.faa.gov/uas/model\\_aircraft/](https://www.faa.gov/uas/model_aircraft/)
- b. Pursuant to Indiana Code Section 35-46-8.5-1, a person who knowingly or intentionally places a camera or electronic surveillance equipment that records images or data of any kind while unattended on the private property of another person without the consent of the owner or tenant of the private property commits a Class A misdemeanor. Other state and local laws may apply depending on the location of UAS use.
  - c. Regardless of the type of use, the UAS must be registered with the FAA – <https://registermyuas.faa.gov/> – before operation takes place. Please note that this registration process only applies to U.S. citizens and permanent residents. Visiting foreign nationals that are not able to register their UAS in the United States may operate in one of two ways: (i) to operate as a model aircraft for recreational use, complete the web-based registration process and obtain a “recognition of ownership”, or (ii) to operate for other non-recreational uses, register your UAS in the country in which the individual is eligible to register and obtain operating authority from the United States Department of Transportation. Note that currently the FAA’s online registration website can only be accessed from a computer located in the United States or its territories or possessions.
  - d. Any UAS operation must be reviewed and approved by the office of the Associate Vice Chancellor of Facilities prior to use.
- C. With regards to third party and hired or contracted UAS services on behalf of the University:
- a. You must possess Proof of Part 107 compliance with applicable CoW or proper FAA Exemption before any operations take place.
  - b. Compliance with all FAA regulations, state and federal laws, and existing University policies is mandated.
  - c. Must be under contract that holds the University harmless and indemnifies from any claims resulting from harm to individuals or damage to property, University-related or otherwise.
    - i. Contract must evidence general liability insurance coverage that extends to the use of UAS of at least \$1,000,000 for bodily injury and property damage. Purdue University and The Trustees of Purdue University are to be named as additional insured on the third party’s insurance policies. Other general insurance provisions may apply per Purdue Risk Management and contracting recommendation.
    - ii. The contract must be executed under the appropriate procurement and contracting guidelines of the University.
    - iii. Risk Management will work as needed with procurement and contracting authorities within the University to assure proper evidence of exemptions and insurance are demonstrated.

D. With regards to other University-Related Operations:

- a. It is important to note that, pursuant to the FAA's Memorandum on Educational use of UAS some faculty and student use of UAS may fall under the less-stringent provisions of Hobbyist/Model Aircraft operations.
- b. The purchase of unmanned aircraft or UAS by faculty, staff, student organization, students, volunteers, or unit with funds being distributed through a University account or grant must notify Purdue Risk Management of possession and intended use and ability to satisfy Part 107 requirements, obtain any necessary CoW or other FAA exemption (e.g. COA or 333 Exemption), and meet local compliance standards. Notification to Risk Management will also activate insurance coverages the University may have regarding the operation of UAS. Please use the notification form located here. Be sure to list the value of the UAS and attached equipment to be able to have the University cover these items in cases of repairs to damages or replacement.
- c. Any University staff, faculty, student organization, student or volunteer wishing to operate UAS for University business or program-related purposes must satisfy applicable Part 107 requirements, including registration of aircraft with the FAA and any necessary CoW, or have and evidence 333 Exemption or COA issued by the FAA that is still valid.
  - i. A copy of the CoW or other Exemption must be sent to Purdue Risk Management for evaluation of usage and record keeping purposes.

E. With regards to indoor use:

- a. Any operation of UAS or Model Aircraft indoors must be subject to and in accordance with individual facility use protocols. Any UAS operation must be reviewed and approved by the office of the Associate Vice Chancellor of Facilities prior to use. Risk Management and the building deputy should be notified.

## DEFINITIONS

333 Exemption - FAA exemption based on Section 333 of the FAA Modernization and Reform Act of 2012 (FMRA) which grants the Secretary of Transportation the authority to determine whether an airworthiness certificate is required for UAS to operate safely in the National Airspace System.

COA - Certificate of Authorization or Waiver. According to the FAA, the COA is an authorization issued by the Air Traffic Organization to a public operator for a specific unmanned aircraft activity. After a complete application is submitted, the FAA conducts a comprehensive operational and technical review. If necessary, provisions or limitations may be imposed as part of the approval to ensure the unmanned aircraft can operate safely with other airspace users. In most cases, FAA will provide a formal response within 60 days from the time a completed application is submitted.

CoW - An authorization issued by the FAA for sUAS operations that do not meet the provisions of Part 107 in its entirety. A complete list of waivable sections of Part 107, see [https://www.faa.gov/uas/beyond\\_the\\_basics/#waiver](https://www.faa.gov/uas/beyond_the_basics/#waiver).

FAA - Federal Aviation Administration

Hobbyist/Model Aircraft - Model aircraft are not for business purposes, only for hobby and recreation. Model aircraft must be kept within visual sightline of the operator, and should weigh under 55 pounds. Please use the following link to see some FAA "dos" and "don'ts" relating to hobbyist/recreational flying: [https://www.faa.gov/uas/publications/model\\_aircraft\\_operators/](https://www.faa.gov/uas/publications/model_aircraft_operators/)

Operator - The person who is controlling, maneuvering, or commanding the UAS.

Part 107 - Unmanned Aircraft regulations currently in place by the FAA for UAS under 55 lbs.

Registration - Any UAS used for university-related operations must be registered on behalf of Purdue University and the registering department, unit, or organization must retain evidence of registration.

Small Unmanned Aircraft Systems (sUAS) - An Unmanned Aircraft and its associated elements (including communication links and the components that control the unmanned aircraft) that are required for the operator to safely and efficiently fly in the national airspace system weighing less than 55 pounds.

University Facilities - As used in these regulations, the term "University Facility" or "University Facilities" means any building or structure or any improved or unimproved land, or any part of any such building, structure, or land, which is owned, used, or occupied by Purdue.

University-Related Operations - The use of UAS for any purpose associated with University business, other than third party and hired or contracted UAS services on behalf of the University. University-related operations automatically fall outside of the hobbyist/model aircraft designation and, therefore, must be compliant with applicable FAA policies and regulations.

Unmanned Aircraft - An aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

Unmanned Aircraft Systems (UAS) - An unmanned aircraft and associated elements (including communication links and the components that control the unmanned aircraft) that are required for the operator to safely and efficiently fly in the national airspace system.

## RELATED DOCUMENTS, FORMS AND TOOLS

For general information: [https://www.faa.gov/uas/publications/model\\_aircraft\\_operators/](https://www.faa.gov/uas/publications/model_aircraft_operators/)

To register UAS: <http://www.faa.gov/uas/registration/>

To obtain a

COA: [https://www.faa.gov/about/office\\_org/headquarters\\_offices/ato/service\\_units/systemops/aaim/organizations/uas/coa/](https://www.faa.gov/about/office_org/headquarters_offices/ato/service_units/systemops/aaim/organizations/uas/coa/)

To obtain a CoW:

[https://www.faa.gov/uas/request\\_waiver/](https://www.faa.gov/uas/request_waiver/)

To obtain a 333 Exemption: [https://www.faa.gov/uas/legislative\\_programs/section\\_333/how\\_to\\_file\\_a\\_petition/](https://www.faa.gov/uas/legislative_programs/section_333/how_to_file_a_petition/)

To see more information regarding Indiana House Bill 1009: <http://iga.in.gov/legislative/2014/bills/house/1009/>

To see FAA Memorandum on Educational Use of UAS:

[HTTPS://WWW.FAA.GOV/UAS/RESOURCES/UAS\\_REGULATIONS\\_POLICY/MEDIA/INTERPRETATION-EDUCATIONAL-USE-OF-UAS.PDF](https://www.faa.gov/uas/resources/uas_regulations_policy/media/interpretation-educational-use-of-uas.pdf)

## HISTORY AND UPDATES

April 3, 2018: Risk Management contact information updated.

April 16, 2019: Update to additional equipment value listing

## Appendix

There are no appendices to this operating procedure.