



Nature
HISTORY
Discovery

OPRD Policy # IT.070:

Use of sUAS by OPRD and Contractors

Authorized:

Lisa Sumption, Director

Date:

06/01/2017

INTRODUCTION & OVERVIEW

Summary Policy Statement

OPRD uses unmanned aerial vehicles as a safe and cost-effective way to replace existing aerial surveys and ground surveys. This policy establishes regulations and requirements for OPRD staff, partners, and contractors to follow when utilizing small unmanned aerial systems (sUAS) on behalf of OPRD.

Purpose

The purpose of this policy is to establish department procedures for the legal and productive use of sUAS by OPRD staff conducting their official duties or by partners and contractors working on behalf of OPRD.

Goals

The goals of this policy are to ensure that OPRD employees understand the following:

- Safety is the primary consideration during sUAS operations.
- OPRD must remain in compliance with local, state and federal sUAS regulations.
- Natural and cultural resources must be protected during sUAS operations

Scope

Applicability: This policy applies to all sUAS operations carried out on behalf of OPRD by staff, contractors, or partners

Audience: This policy is directed to all OPRD employees that utilize or contract the use of sUAS on behalf of OPRD

Authority

The authority for this policy is established in ORS.390.131, which states that the State Parks and Recreation Director is responsible for administering the legislatively imposed duties of the Parks and Recreation Department and its Commission.

This policy is influenced by the following authority, laws and rules:

The FAA regulates the national airspace and aircraft within the United States. Specifically, sUAS are covered under the FAA “Small UAS Rule”: FAR 14 CFR part 107.

ORS 837.300 to ORS 873.390, Use of Unmanned Aircraft Systems and ORS 192.501, generally, Oregon’s record retention law.

Background

sUAS can provide a safe and cost-effective platform for remote sensing that would otherwise be unavailable or prohibitively expensive. OPRD’s needs are well aligned to effectively use sUAS technology, as OPRD has numerous small sites with unique or repetitive site visit requirements. The use of sUAS by public bodies is regulated by State and Federal law and is treated differently than recreational or commercial use. A consistent coordinated approach to sUAS use at OPRD is required to ensure safety, regulation compliance, and effective use of resources. Public, commercial, or research based use of sUAS on OPRD property is covered by OPRD’s “Public Use of sUAS on OPRD Property” policy IT.075.

POLICY PROVISIONS

Definitions

1. 14 CFR Part 107: The recently issued (June 21, 2016; in effect August 29, 2016) FAR “Small UAS Rule” issued to allow and regulate the operation of small unmanned aircraft systems in the National Airspace System.
2. FAA: Federal Aviation Administration.
3. FAR: Federal Aviation Regulation
4. PIC: Pilot In Command.
5. Public Body: As defined in ORS 174.109.
6. Remote Pilot Airman Certificate: FAA issued. Required to operate as a PIC of a sUAS under 14 CFR Part 107 (VO are not required to hold this certificate).
7. sUAS: Small Unmanned Aircraft Systems. An unmanned aircraft system is an unmanned aircraft and the equipment necessary for the safe and efficient operation of that aircraft. The unmanned aircraft is a component of a sUAS. It is defined by statute as an aircraft weighing less than 55 pounds (including everything onboard the aircraft) that is operated without the possibility of direct human intervention from within or on the aircraft (Public Law 112-95, Section 331(8)).
8. VO: Visual Observer, a person who assists the operator to see and avoid other air traffic or objects aloft or on the ground.

Policy Statements

1. OPRD shall designate a department sUAS Coordinator to manage compliance of regulations and provide support for sUAS operations. OPRD staff, partners, or contractors must obtain approval from the sUAS Coordinator prior to sUAS operation on behalf of OPRD.
2. OPRD operation of sUAS may be carried out either by OPRD staff holding a Remote Pilot Airman Certificate or by private companies appropriately licensed to conduct sUAS operations. sUAS operations may also be conducted in cooperation with trained and licensed staff from other public bodies and federal agencies.
3. sUAS owned by OPRD shall be used for the purposes of training, education, and official operations only.
4. sUAS under private ownership of OPRD staff shall not be used for official OPRD operations.
5. sUAS owned or operated on behalf of OPRD shall have appropriate federal and/or state registration
6. By mutual agreement of all parties, OPRD staff may serve as PIC or VO for sUAS owned by other public bodies or federal agencies if all legal, training, and safety requirements have been met.
7. sUAS equipment and operators of cooperating organizations, including private contractors, must meet OPRD, local, state, and federal sUAS regulations and/or policy requirements when conducting work on behalf of OPRD.
8. The use, storage, and distribution of data collected during OPRD sUAS operations are governed by state statute (ORS 837.300 to ORS 873.390, ORS 192.501) and OPRD policy IT.071, Use and Storage of Data Collected by Unmanned Aircraft Systems.
9. The rights of private citizens must be respected during sUAS operations (refer to state and federal regulations). Permission to overfly private property must be obtained. Flying over state and federal lands may require permits. The PIC is responsible to ensure that all requirements have been met prior to flight.

Exceptions

OPRD staff that do not hold a Remote Pilot Airman Certificate may operate an sUAS for training purposes while under the direct supervision of a PIC that holds a Remote Pilot Airman Certificate.

Roles and Responsibilities

Administrator, Business and Technology Solutions Division: Approve policy and subsequent reviews. Designate a department sUAS Coordinator.

Chief Information Officer: Educate management on the provisions of this policy; provide assistance with how to use the relevant portions for policy users; monitor the use of the policy, review user comments and track changes in regulation direction; revise the policy when needed.

sUAS Coordinator: Monitor compliance of regulations and provide support and approval for sUAS operations on behalf of OPRD. Collate internal use reports and provide annual summary to Oregon Department of Aviation. Maintain public access to OPRD sUAS policy. Develop sUAS operations considerations process in consultation with District Managers, Cultural and Natural Resources staff.

Failure to Comply

Failure to comply with this policy may be cause for disciplinary action up to and including dismissal.

ADMINISTRATION

Owner: BATS Division

Approval: OPRD Director

Contact for questions:

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Next revision date: June 1, 2020

Feedback:

Your comments are extremely important to improving the effectiveness of this policy. If you would like to comment on the provisions of this policy, you may do so by e-mailing policy.feedback@oregon.gov. To ensure your comments are received without delay, *please list the policy number and name in your e-mail's subject*. Your comments will be reviewed during the policy revisions process and may result in changes to the policy.