

SALISBURY UNIVERSITY
POLICY FOR THE USE OF UNMANNED AIRCRAFT SYSTEMS (DRONES)

I. POLICY STATEMENT

- A. It is the policy of Salisbury University (“University”) to provide a safe, educational, living and working environment for its students, employees, affiliates and visitors. The University recognizes that the use of Unmanned Aircraft Systems (“UAS” or “Drones”) on University Property may threaten the privacy and safety of the University community, disturb the educational goals of the University and/or interfere with the University’s reasonable use and enjoyment of the air above its property. The University prohibits the use of Drones on or over University Property and at University-sponsored activities off campus, except as pursuant to the authorization process provided by this policy.
- B. This policy applies to faculty, staff, students, visitors, volunteers, contractors, clubs and similar organizations, University affiliates, and any other individual who intends to operate a Drone on University Property or while conducting University-sponsored activities off campus. This includes operation of Drones as part of University employment, student status or as part of any University-related research or activity.
- C. This policy also applies to any third party or hobbyist that may wish to operate a Drone over University Property.

II. PURPOSE

The purpose of this policy is to provide administrative procedures for the use of Drones on University Property and at University-sponsored activities off campus.

III. DEFINITIONS

- A. Certificate Of Authorization:

An authorization issued by the Air Traffic Organization to an Operator for specific Drone activity. If necessary, provisions or limitations may be imposed as part of the approval to ensure the Drone can operate safely with other airspace users.

- B. Certificate of Waiver:

An authorization issued by the FAA for specific Drone operations that do not meet the provisions of Part 107 in their entirety.

- C. Community-Based Organization:

A membership-based association as defined in 49 U.S.C. Section 44809(h)(1)-(6).

D. Educational or Research purposes:

With respect to an operation of a Drone by an institution of higher education or research purposes includes: 1.) instruction of students at the institution, 2.) academic or research related uses of Drones that have been approved by the institution, including Federal research; 3.) activities undertaken by the institutions as part of research projects, including research projects sponsored by the Federal government; and 4.) other academic activities approved by the institution.

E. Hobbyist/Recreational Flier:

Flying for enjoyment and not work, business purposes, or for compensation or hire.

F. Operator:

Pilot or individual who is controlling, maneuvering, or commanding a Drone.

G. Part 107:

FAA regulation governing Drones under 55 pounds. Drones can be flown for any reason, including for work, fun, teaching, or for public safety missions. To fly under Part 107 you must: 1. know the FAA rules as they pertain to flying Drones, 2.) become an FAA-Certified Drone Pilot by passing the FAA Knowledge Test, and 3.) prior to flying register your Drone with the FAA, and per this policy also register the Drone with the University using the Request for Permission Form. (See below).

H. Registration:

All Drones used for University-Related Operations must be registered with the FAA on behalf of University. Proof of FAA Registration is required to be submitted with the University Request for Permission Form. A copy of such Registration is maintained by the Operator and a copy is to be submitted to SUPD along with the Request for Permission Form.

I. Small Unmanned Aircraft:

A Drone weighing less than 55 pounds, including the weight of anything attached to or carried by the aircraft.

J. Special Authority for Certain Unmanned Systems:

An exemption needed of an Operator from the FAA to fly a Drone weighing over 55 pounds at takeoff.

K. UAS or Drone:

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.

L. University Property:

Any building or structure or any improved or unimproved land, or any part of any such building, structure, or land, occupied or vacant, which is owned, used, leased, controlled or operated by the University.

M. University-Related Operations:

The use of Drones for any purpose associated with University business or services, other than third party and hired or contracted Drone services on behalf of the University. Includes University sponsored business, service or activity conducted off-campus.

N. Unmanned Aircraft:

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

IV. PROCEDURES

A. Operation of any Drone on or over University Property as it pertains to University-Related Operations must adhere to the procedures outlined in this policy.

B. All University faculty, staff, students, visitors, volunteers, contractors, clubs and similar organizations intending to operate a Drone on or over University Property for University-Related Operations shall first take and pass the FAA Knowledge Test and Register their Drone on behalf of the University, and mark the Drone per FAA rules.

C. Any individual, group, or department wishing to operate a Drone for University Related Operational purpose must comply with all sections of this policy as well as applicable Part 107 requirements, including registration of aircraft with the FAA and any necessary CoW, or have evidence of 333 Exemption or COA issued by the FAA that is still valid. A copy of the CoW or other Exemption must be provided to SUPD as part of the approval process.

D. Any individual purchasing a Drone with funding obtained through the University, University Foundation or a grant account **must** register the Drone and its intended use with SUPD via the Request for Performance Form. Any individual who has in the past purchased a Drone prior to the effective date of this policy, and intends to use that Drone as a part of University-Related Operations **must** register the existing Drone and intended use with SUPD via the Request for Performance Form.

E. Operation of any Drone on or over University Property or at any University-sponsored activity off campus, is prohibited unless first approved by the Salisbury University Police Department (SUPD). All Operators shall apply for approval with SUPD at least ten (10) business days (that the University is open) prior to any Drone

activity (the first flight). Previously approved Operators must apply for approval ten (10) business days (that the University is open) prior to each planned flight unless otherwise approved by SUPD.

- F. Operators shall complete the Request for Permission to Operate a Drone Form (“Request for Permission Form”) and submit it to SUPD. *See* Appendix A-Request for Permission Form.
- G. Approved Drone Operator(s) shall identify themselves by wearing a vest issued by SUPD that will inform students, employees and/or other campus visitors that a Drone is in the area. When a Request for Permission Form is approved, the Drone Operator(s) will be provided with the vest(s) for the period of the approved Drone flight. The vest(s) must be returned to SUPD immediately upon the expiration of the approved flight, or flight period (completion of the project). The approved Drone Operator(s) must wear the vest(s) at all times during the operation of the Drone. The approved Drone Operator(s) must also maintain a physical copy of the approved Request for Permission Form, which includes the flight pattern, on their physical person during the entire operation of the operations.
- H. Operators who have a Request for Permission Form that is approved are responsible for any damage resulting from the use of a Drone on University Property. The University assumes no liability for any damage to property or for personal injuries caused by a Drone or Drone Operators; including, but not limited to, the breach of any term or provision of this policy.
- I. All Drones being operated as a part of University-Related Operations must specifically comply with the following:
 - 1. Operators must comply with FAA regulations, state and federal laws, and University policies at all times; including all FAA registration requirements, and any required testing or certification requirements before Drone operation takes place. Operators are advised that other state and local laws may apply depending on the location of the flight of the Drone, and that any such laws must also be adhered to, if applicable.
 - 2. Operators shall fly Drones at or below 400 feet unless specific FAA authorization has been granted and proof of such authorization has been provided to SUPD.
 - 3. Operators shall not fly more than 100 miles per hour.
 - 4. Operators shall fly with a minimum weather visibility of 3 miles from launch.
 - 5. Operators shall keep the Drone within visual eye sight (either directly by the Operator or through the use of a visual observer) for the entire duration of the flight.
 - 6. Operators shall be aware of FAA Airspace Restrictions.
 - 7. Operators shall respect personal privacy consistent with the U.S. Constitution and federal, state and local law. In all cases, the proposed flight shall not photograph, video or monitor, in any way, areas where members of the University community or members of the general public would have a reasonable expectation of privacy.
 - 8. Operators shall not fly near other aircraft, especially airports, and must give the

- right-of way to all manned aircraft.
9. Operators shall not fly over any person not directly participating in the flight, public events, or stadiums full of people.
 10. Operators shall not fly under a covered structure, and not inside a covered stationary vehicle.
 11. Operators shall not fly near or over any University athletic facilities or grounds, one hour before a scheduled event is to commence or after a scheduled event concludes.
 12. Operators shall not fly near emergency response efforts, such as fires, hurricanes or vehicle collision recovery efforts.
 13. Operators must land immediately if flying near Peninsula Regional Medical Center (PRMC), and an Air Medical Helicopter is approaching the PRMC helipad.
 14. Operators shall fly during daylight hours only, or civil twilight (30 minutes before official sunrise or 30 minutes after official sunset, local time) with appropriate anti-collision lighting.
 15. Operators shall not fly while impaired, to include but not limited being under the influence of drugs or alcohol.
 16. Operators shall not fly if they know or have reason to know of any physical or mental condition that would interfere with the safe operation of the Drone.
 17. Operators shall not fly in a careless or reckless manner.
 18. Operators must get required permission from the FAA to fly in controlled airspace near airports either through their Low Altitude Authorization and Notification Capability (LAANC) or DroneZone systems.
 19. No Operator(s) may fly more than 1 Drone at a time.
 20. No Operator(s) may fly a Drone from a moving vehicle unless the operations are over a sparsely populated area.
 21. No Operator may have a Drone carry hazardous material.
 22. No Operator may operate a Drone that is equipped or armed with a dangerous weapon.
 23. External load operations are allowed if the object being carried by the Drone is securely attached and does not adversely affect the flight characteristics or controllability of the Drone.
 24. Operators shall not use a University registered Drone to photograph or video record for compensation or sale to another individual (or entity) without authorization from SUPD.
 25. Operators are also advised that a person who knowingly or intentionally places a camera or electronic surveillance equipment that records images or data of any kind while on the private property of another person without the consent of the owner or tenant of the private property is subject to sanctions under Maryland law, which could include criminal prosecution and/or civil liability.
- J. Third party or hired contractors providing services that require the use of a Drone on behalf of the University, in addition to all items listed under Section (F) above, must:
1. Possess proof of passage of the FAA Knowledge Test.
 2. Possess proof that they are in compliance with Part 107 and/or present

proof of an FAA Waiver or Certification, where appropriate, before any flight operations takes place.

3. Be under contract that holds the University harmless and indemnifies the University from any claims resulting from harm to individuals or damage to property.
 - a. The contract must be executed under the appropriate procurement and contracting guidelines of the University.
 - b. Vendor shall be required to maintain at a minimum liability insurance for bodily injury and property damage in an amount of not less than One Million Dollars (\$1,000,000) that extends to the use of the Drone.

K. Flying as a Hobbyist/Recreational Flier:

A person may operate a Drone without specific certification or operating authority from the FAA if the operation adheres to all of the following limitations:

1. The aircraft is flown strictly for recreational purposes.
 - a. Recreational purposes, per the FAA Reauthorization Act of 2018, includes Drones operated by institutions of higher education for Educational or Research Purposes.
2. The aircraft is operated in accordance with or within the programming of a community-based organization's set of safety guidelines that are developed in coordination with the FAA.
3. The aircraft is flown within the visual line of sight of the person operating the aircraft or a visual observer co-located and in direct communication with the operator.
4. The aircraft is operated in a manner that does not interfere with and gives way to any manned aircraft.
5. In Class B, Class C, or Class D airspace or within the lateral boundaries of the surface area of Class E airspace designated for an airport, the Operator obtains prior authorization from the FAA before operating and complies with all airspace restrictions and prohibitions.
6. In Class G airspace, the aircraft is flown from the surface to not more than 400 feet above ground level and complies with all airspace restrictions and prohibitions.
7. The Operator has passed an aeronautical knowledge and safety test and maintains proof of the test passage to be made available to the FAA or law enforcement upon request.
8. The aircraft is registered and marked per FAA rules, and proof of registration is made available to the FAA or law enforcement upon request.

L. Part 107:

Any Operator flying a Drone not as a Hobbyist/Recreational Flier must fly under Part 107, and comply with its provisions that have been summarized in Section (I) above.

If an Operator is seeking to deviate from any provision of Part 107, said Operator needs to obtain the appropriate Part 107 Waiver from the FAA and present proof of such Waiver to SUPD prior to flight operations.

M. Part 107 Waivers:

Operators who are flying under Part 107 of FAA regulation need a Waiver from the FAA if they would like to deviate from those rules. If a Waiver is needed, once granted a copy of said Waiver must be presented to SUPD along with the Request for Permission Form.

N. Drones over 55 pounds:

All Operators of Drones weighing over 55 pounds at takeoff will need to apply for an exemption under the FAA Special Authority for Certain Unmanned Systems. Prior to flying any Drone over 55 pounds, all Operators will have to present such exemption to SUPD along with the Request for Permission Form.

O. Criteria for Approval of Request for Permission Form (excluding any exception to this policy):

1. Requests for use of Drones will include, but not be limited to, an assessment of:

- a. Risk to the health and safety of persons on University property;
- b. Risk to University property;
- c. Distraction from the educational mission of the University;
- d. Business, educational or research value to the University;
- e. Compliance with University insurance requirements; and
- f. Compliance with all federal, state and local laws and regulations.

2. The University may also seek input from departments affected by the use of the Drone, and may propose an alternative date, time, location or any other change in the best interest of the University.

V. EXCEPTIONS

Exceptions to any provision of this policy must be approved in advance by SUPD.

VI. SANCTIONS

Any operation or use of a Drone that violates FAA regulations or laws is prohibited and it is the responsibility of the Operator(s) to ensure compliance with all such regulations or laws. Failing to comply with any FAA regulations or laws may result in civil penalties and personal liability to the Operator(s).

Any operation or use of a Drone that violates this policy will be reported to SUPD

as a violation of this policy, and the Operator(s) will be subject to applicable disciplinary sanctions.

VII. RESPONSIBLE OFFICE

The Salisbury University Police Department is responsible for implementing this policy and may be contacted at: 410-543-6222. For questions regarding interpretation of FAA regulations and laws please call the Office of General Counsel at: 410-548-2331.

VIII. APPENDIX

A. Request for Permission Form

IX. OTHER RESOURCES

FAA main webpage for Unmanned Aircraft Systems (“UAS” or “Drones”):

<https://www.faa.gov/uas/>

FAA website to register a Drone:

https://www.faa.gov/uas/getting_started/register_drone/

Information for Educational Users of Drones:

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

FAA Knowledge Test:

https://www.faa.gov/training_testing/testing/test_guides/media/remote_pilot_ktg.pdf

https://www.faa.gov/regulations_policies/handbooks_manuals/aviation/media/remote_pilot_study_guide.pdf

https://www.faa.gov/training_testing/testing/acts/media/aktr_changes.pdf

https://www.faa.gov/training_testing/testing/acts/

Summary of Part 107 rules:

https://www.faa.gov/uas/media/Part_107_Summary.pdf

Information regarding Part 107 Waivers:

https://www.faa.gov/uas/commercial_operators/part_107_waivers/

Instructions for filing an Exemption for Drones over 55 pounds (Special Authority for Certain Unmanned Systems):

https://www.faa.gov/uas/advanced_operations/section_333/how_to_file_a_petition/

Certificates of Waiver or Authorization:

https://www.faa.gov/about/office_org/headquarters_offices/ato/service_units/systemops/aa/im/organizations/uas/coa/

Certification:

https://www.faa.gov/uas/advanced_operations/certification/

Airspace Restriction:

https://www.faa.gov/uas/recreational_fliers/where_can_i_fly/airspace_restrictions/

Frequently Asked Questions of the FAA regarding Drones:

<https://www.faa.gov/uas/resources/faqs/>

Effective Date: March 2, 2020

Salisbury University
Request for Permission to Operate a Drone Form

Name(s) of Drone Operator(s): _____

Name(s) of any Drone observers: _____

FAA Drone Registration Number: _____

Date(s) of Flight: _____

Purpose of Flight: _____

Describe your intended Flight Path:

Have you taken a FAA Knowledge Test: _____

Do you have any FAA Certifications or Waivers, if so please indicate and provide a copy:

FOR SUPD USE ONLY:

Approved _____ Denied _____

By: _____ Date _____

Comments:

Send completed form to: The Salisbury University Police Department, East Campus Complex (EC) at least ten (10) days prior to the event.

