SEC-040

Use of Unmanned Aircraft Systems ("UAS" or "Drones")

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Policy Type University

Contact Office Emergency Management (UVA)

Oversight Executive
Associate Vice President for Safety & Security and Chief of Police

Applies To Academic Division, the Medical Center, and the College at Wise.

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Reason for Policy

This policy and its procedures are intended to promote safe and efficient operation of unmanned aircraft systems in furtherance of the goals and mission of the University. This policy and its procedures also are intended to help protect the privacy and security of students, employees, patients, and visitors. Unmanned aircraft systems are commonly referred to as drones.

Definition of Terms

Aircraft

Description Any contrivance invented, used, or designed to navigate, or fly in the air.

Civil Aircraft

Description Any aircraft except a public aircraft.

Model Aircraft

Description

An unmanned aircraft that is: (1) capable of sustained flight in the atmosphere; (2) flown within visual line of sight of the person operating the aircraft; and (3) flown for recreational or hobby use.

Public Aircraft

Description

An aircraft owned and operated by the United States Government, government of a State, the District of Columbia, or a territory or possession of the United States or a political subdivision of one of these governments in furtherance of a governmental function, and that is not used for commercial purposes.

Small Unmanned Aircraft

Description

An Unmanned Aircraft weighing less than 55 pounds (25kg) on takeoff, including everything that is on board or otherwise attached to the aircraft.

Unmanned Aircraft

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

Certificate of Authorization or Waiver (COA)

Description

The terms “certificate of authorization” or “certificate of waiver” mean a Federal Aviation Administration (FAA) grant of approval for a specific flight operation. 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.

Air Traffic Organization COA

Description

A COA issued by the FAA’s Air Traffic Organization (ATO) permitting operation of an Unmanned Aircraft System (UAS) pursuant to the University’s Exemption under circumstances not permitted by the Blanket COA.

Blanket COA

Description

A COA issued in conjunction with the University's Exemption that permits UAS Operation within certain airspace limits as set forth in the document.

Public COA

Description

A COA issued by the FAA permitting a UAS to be operated as a public aircraft in furtherance of a governmental function.

Federal Aviation Administration (FAA)

Description

National aviation authority of the United States. As an agency of the United States Department of Transportation, it has authority to regulate and oversee all aspects of American civil aviation.

Governmental Function

Description

An activity undertaken by a government, such as national defense, intelligence missions, firefighting, search and rescue, law enforcement (including transport of prisoners, detainees, and illegal aliens), aeronautical research, or biological or geological resource management.

National Airspace System

Description

The National Airspace System (NAS) is the airspace, navigation facilities and airports of the United States along with their associated information, services, rules, regulations, policies, procedures, personnel, and equipment.

Remote Pilot Certificate with a Small UAS Rating

Description

A Certificate issued under the Code of Federal Regulations (14 C.F.R. Part 107) to permit a person to operate a UAS weighing under 55 pounds as a civil aircraft.

Remote Pilot in Command

Description

The Remote Pilot in Command is directly responsible for and is the final authority as to the operation of the small, unmanned aircraft system.

See and Avoid

Description

The duty of the Remote Pilot in Command to exercise vigilance to avoid interference with other aircraft and obstacles that would affect the safe operation of the aircraft.

University Property

Description

Land or buildings that the University owns or leases and that is under the control of the Board of Visitors. University property also includes premises the University uses for activities of its offices, departments, personnel, or students.

Unmanned Aircraft System (UAS)

Description

An Unmanned Aircraft and associated elements (including communication links and the components that control the Unmanned Aircraft) that are required for the Remote Pilot in Command to operate safely and efficiently in the national airspace system.

Unmanned Aircraft Systems (UAS) Operations Manager

Description

Individual designated by the University with responsibility for coordination of flights, submission of reports, and management of all UAS operations.

Visual Line of Sight

Description

The ability of the Remote Pilot in Command to see the aircraft at all times when in flight using the unaided eye with sufficient clarity to determine the aircraft’s location, attitude, altitude, and direction of flight, and to avoid other aircraft or hazards.

Visual Observer

Description

A person who has been designated to assist the Remote Pilot in Command in complying with his or her See and Avoid duties and maintain a lookout for other aircraft or hazards that may affect the safety of flight.

Small Unmanned Aircraft System (Small UAS)

Description

A Small Unmanned Aircraft and its associated elements (including communication links and the components that control the Small Unmanned Aircraft) that are required for the safe and efficient operation of the Small Unmanned Aircraft in the national airspace system.

Recreational or Hobby Use

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

Policy Statement

This policy establishes University oversight and approval procedures to facilitate safe and responsible Unmanned Aircraft Systems (UAS) operations. Use of UAS may significantly contribute to the research and academic activities of the University but also pose risks to the University and community for several reasons:

- The population and building density of the University's main Grounds, Medical Center, College at Wise, and surrounding property is high, which creates safety risks to persons and property.
- Any interference with the University of Virginia Medical Center's heliport(s), which is on University property, poses safety risks to the helicopter pilot, any patient(s) being transported by helicopter, and others.
- Any flight near the University of Virginia Medical Center may pose a serious threat to patients' security and privacy.
- Aircraft takeoff and landings as well as the accompanying noise are generally distracting and may interfere with instruction, research, and patient care.
- Aircraft also pose other risks to students and the University community, including invasion of privacy and security, among other risks.

Current faculty, staff, employees, students, and approved parties who would like to operate UAS ("UAS Operators" or "Operators") on University property or ***on behalf of the University at any location*** must receive approval under provisions described in this policy. It is the responsibility of the UAS Operator and Remote Pilot in Command to be knowledgeable of and comply with this policy as well as all applicable federal, state, and local laws that govern or affect the UAS operation.

1. **Compliance with Laws and Policies:**
   It is the responsibility of the UAS Operator and Remote Pilot in Command to be knowledgeable of and to comply with this policy as well as all applicable federal, state, and local laws and other University policies that govern or affect UAS operation. It is University policy to maintain a healthy and safe environment and to conduct all University-related activities in compliance with applicable requirements for health and safety from federal, state, and local agencies. Observing University health and safety policies and procedures is the responsibility of every member of the University community. UAS must not be operated or used in a manner that poses a danger to the health and safety of others. UAS must not be used to access, view, monitor, or record private spaces. In operating a UAS for the purpose of recording or transmitting visual images, operators must take all reasonable measures to avoid violations of an expectation of privacy. Any data inadvertently obtained on non-consenting individuals or their property must be eliminated immediately. Virginia law provides that a person who knowingly or intentionally places a camera or electronic surveillance equipment that records images or data in violation of a reasonable expectation of privacy commits a Class 1 misdemeanor or a Class 6 felony if the subject of the image is under the age of 18 years.

2. **To Whom this Policy Applies:**
   For purposes of this policy, as set forth below, all current University, Medical Center, and College at Wise faculty, staff, and employees may operate UAS on University property and/or on behalf of the University with the approval of the UAS Operations Manager. All current University and College at Wise students may operate UAS on University property with the approval of the UAS Operations Manager. Other

persons acting pursuant to an agreement approved by The Rector and Visitors of the University of Virginia ("approved parties") also may operate UAS with the approval of the UAS Operations Manager. Approved parties include vendors, Contracted Independent Organizations (CIOs) or other registered student groups in good standing with the University, and other parties who are sponsored by a unit of the University and who will advance the mission of the University. ***All other persons or entities are Third Parties and are prohibited from flying UAS on University Property.***

This policy applies to ***all flights***, including flights conducted indoors.

A. **Third Parties:**
Third Parties and/or Third Parties' Visual Observers may not take off from, land on, or operate UAS while on University property. Third parties do not include current University, Medical Center, and College at Wise faculty, staff, employees, students, or approved parties.

B. **Faculty, Staff, Employees, and Approved Parties:**
This policy applies to faculty, staff, employees, and approved parties operating UAS on University property or ***on behalf of the University at any location***. For example, the policy applies to faculty, staff, employees, and approved parties who seek to operate UAS for the following purposes:

- Research and development in the pursuit of University duties, whether on or off University property.
- Aerial data collection, including aerial photography, video, surveys, or inspections on behalf of the University, whether on or off University property.
- UAS operations as a part of University courses, or research activities, whether on or off University property.
- Agreements or other arrangements for approved parties and other persons to fly UAS on behalf of the University (such as for aerial photography, or for any of the reasons above), whether on or off University property.

Faculty, staff, employees, and approved parties may operate UAS if and only if the flight is approved in advance by the UAS Operations Manager, the flight is related to the University's mission or community, and the flight adheres to any limits prescribed by the UAS Operations Manager.

C. **Students:**
Students may operate UAS on University property ***if and only if***
- The flight is approved in advance by the UAS Operations Manager;
- The flight is conducted under Part 107 as described in Section 4(b)(ii) of this Policy and relates to the student's education OR the flight is conducted under 49 U.S.C. § 44809 for a recreational, educational, or research purpose as described in Section 4.B.i of this Policy; and
- The flight adheres to any limits prescribed by the UAS Operations Manager.

3. **To Whom this Policy does not Apply:**
This policy **does not apply** to:

- Anyone operating UAS if the UAS operation is 1) unrelated to University coursework, research, or employment and 2) such UAS operation is not on University property.
- UAS operations by public safety agencies in support of emergency and event/incident management.

- UAS operations under Virginia Code § 19.2-60.1, which requires a search warrant for UAS operations by public bodies under certain circumstances.

Direct questions regarding whether a specific activity or type of agreement is covered under this policy, or other policies and procedures, to the UAS Operations Manager.

4. Basis for UAS Operations:

A. **Registration of Aircraft:**
All UAS flights, aircraft (including model aircraft), and operators must meet current Federal Aviation Administration (FAA) requirements for the type of flight, purpose of the flight, flight operator requirements, and flight conditions. This means operators must know their own flight plans and operator classification (recreational or commercial) before deciding which FAA requirements apply to them. If needed, operators should use the FAA User Identification Tool to assist in determining what type of flyer they are.

All UAS pilots who are required to register their UAS must operate in accordance with the FAA rule on Remote ID. Remote ID is a mandated technology allowing for the tracking and identification of UAS and requires that all UAS be registered with the FAA and operate with the ability to broadcast identifying information. Remote ID requires that UAS must either be built with broadcast capabilities or retrofitted with a broadcast module. Pilots are required to register their UAS, or update their registration, through the FAA Drone Zone, with the exception that any UAS weighing 0.55 pounds or less that is operated for a recreational purpose pursuant to 49 USC § 44809, as described below in Section (1)(b)(i), does not need to be registered.

B. **Unmanned Aircraft Systems:**
UAS can be operated in the National Airspace System pursuant to several different frameworks. Each of these options has different requirements and limitations. It is very important before any UAS operation is undertaken to determine which of these sets of regulations will govern the flight and to ensure that the flight operation can be done legally and safely under those rules. The following are the three categories of UAS operations utilized by the University. Any UAS operation that cannot be performed within one of these four categories is prohibited under this Policy.

i. **§ 44809 Recreational UAS Operations:**
The University will approve UAS operations that have a Recreational or Hobby Use) in compliance with 49 USC § 44809. P.L. 116-283, Section 10002 further clarifies that § 44809 also applies to UAS flown for educational and research purposes. Qualifying educational and research purposes include: (1) instruction of students at the University; (2) academic or research related uses of UAS that have been approved by the University, including Federal research; (3) activities undertaken by the University as part of research projects, including research projects sponsored by the Federal Government; and (4) other academic activities approved by the University.

Operators conducting flights for educational or research purposes must either earn a Remote Pilot’s License (Part 107 certification) or pass The Recreational UAS Safety Test (TRUST) aeronautical knowledge and safety test, which allows for drone operation in more limited circumstances. The preferred certification for educational flying is a Part 107 license (see Section 4.B.ii).

Operators conducting flights for Recreational or Hobby Use only are required to, at minimum, pass The Recreational UAS Safety Test (TRUST) aeronautical knowledge and safety test, which is tailored to recreational operators.

Non-recreational UAS operations do not qualify under this section and must qualify under another section in order to operate UAS on University property. Non-recreational uses include commercial uses that receive compensation (including cost reimbursement, honorarium, or pay) directly or indirectly related to operation of the UAS: taking photos to advertise a property or service; taking pictures of sporting events for use on the University's website or social media; and goodwill uses on behalf of non-profit organizations.

ii. **Part 107 Operations:**
In 2016 the FAA established a new regulatory framework to permit civil UAS operations, which is codified at 14 C.F.R. Part 107, and further updated this framework in 2021. To qualify as a Part 107 operation, the Remote Pilot in Command must have a Remote Pilot Certificate with a Small Unmanned Aircraft System (Small UAS) Rating. No Certificate of Authorization (COA) is required for flights conducted under Part 107, but the operator should be aware of the airspace restrictions set forth in the regulations or other state and local requirements that may prohibit a particular flight.

iii. **Public Aircraft COA Operations:**
The University operates some UAS as public aircraft pursuant to public aircraft COAs. Many of the rules and limitations pertaining to operation of civil aircraft under § 44809 or Part 107 do not apply or are different. These flights must comply with the terms and limitations set forth in each individual COA. Anyone seeking to obtain authorization to fly under a Public COA must be aware that there are several requirements that must be met. First, the aircraft must be owned by a government entity or be the subject of an exclusive use lease of at least 90 days. Second, the flights must be in furtherance of a governmental function. Third, the aircraft cannot be operated for a commercial purpose. Fourth, a public aircraft COA must be obtained from the FAA.

5. **Flights Over University Property from Outside University Property:**
UAS may be flown over University property from outside University property provided they are otherwise in full compliance with the FAA's Small UAS Rule or the Exception for Limited Recreational Operations of Unmanned Aircraft (49 USC § 44809), whichever is applicable. UAS may not be operated in any manner near the Medical Center's heliports, near a helicopter flying to or from the Medical Center, or in a manner that poses a risk to any helicopter.

6. **Compliance with Policy:**
Failure to comply with the requirements of this policy may result in disciplinary action up to and including termination or expulsion in accordance with relevant University policies.

Direct questions about this policy to Emergency Management (UVA).

Procedures

Establishment of the UAS Operations Manager: The University's Executive Vice President and Chief Operating Officer will designate the UAS Operations Manager, who will be the lead University official responsible for the administration of this Policy. With the approval of the University's Executive Vice President and Chief Operating Officer, the UAS Operations Manager may delegate his or her authority to other qualified University employees as necessary for particular locations, such as the College at Wise, or for particular

situations. Information about the UAS Operations Manager and all designees is available at Unmanned Aircraft (UAS). The official e-mail address for the UAS Operations Manager and any designees is uasoperationsmanager@virginia.edu. The UAS Operations Manager shall also determine if there is any University property that is unsuitable for UAS operations under any circumstances and will make a listing of such properties available to Operators upon request. Maps showing restricted areas, including helicopter preferred flight paths around the Medical Center, ("Restricted Areas"), may be found at B4UFLY. UAS operations around the Medical Center are specifically prohibited unless authorized in writing by the Chief Operating Officer of the Medical Center or their designee.

1. **Approval for all UAS Operations:**
   Prior to submitting a Request to Operate, an Operator must review the options available for conducting the flight (e.g., § 44809, Public Aircraft COA, or Part 107) and determine which is best suited for the operation. The Request to Operate should contain a concise statement of the justification for this choice. In addition, the Operator should set out all relevant information about how the flight will be conducted, such as date and time of the proposed flight(s), location, maximum altitude, class of airspace, distance from nearest airport or helipad, whether a visual observer will be used, whether a COA is required and has been obtained, etc. The Operator must submit a copy of their pilot certificate or TRUST certificate with the Request to Operate. Additionally, every Request to Operate should include a copy of the FAA Registration for the UAS that the Operator would like to operate, with the exception of UAS weighing .55 pounds (250g) or less AND operated solely for a Recreational or Hobby Use. The Operator must provide the UAS Operations Manager with a copy of any prior authorization from Air Traffic Control that may be required for the flight. Complete a Request to Operate form.

   The Request to Operate shall be submitted by email to the UAS Operations Manager at uasoperationsmanager@virginia.edu, and the UAS Operations Manager shall attempt to review all requests promptly and will make a determination within 10 business days after a request is submitted.

   In reviewing a flight request by an Operator, the UAS Operations Manager will consider the basis for the request, the purpose of the flight, potential conflicts with other UAS flights, potential impact on privacy, safety and ethical considerations, as well as any other matter the UAS Operations Manager determines is relevant to the request under consideration. After reviewing the Request, the UAS Operations Manager will make one of four determinations. The Request may be approved, rejected, approved with conditions, or returned for additional information. An "approval with conditions" can include any restrictions on the operation that the UAS Operations Manager, at his or her discretion, believes are necessary to help protect public safety. If the Request is returned for additional information, the UAS Operations Manager shall indicate what additional facts or information are necessary for the Request to be reviewed. The Operator may submit any additional information he or she believes is relevant, after which the UAS Operations Manager will issue a determination. The UAS Operations Manager's determination will be submitted to the Operator by e-mail as a pdf document, titled "Final Determination." The UAS Operator and Remote Pilot in Command, if different from the UAS Operator, must endorse the Final Determination and sign the Agreement accompanying the Final Determination. An endorsed copy of the Final Determination and an executed copy of the accompanying Agreement must be submitted to the UAS Operations Manager by e-mail at least 72 hours prior to any flight as a condition of approval for the flight. If the UAS Operations Manager does not receive the endorsed Final Determination and executed copy of the accompanying Agreement, the flight is considered unauthorized and in violation of this Policy.

   An Operator is required to have a paper copy of the Request to Operate and the UAS Operations Manager's Final Determination in his or her possession at the time of any approved flight and for the

duration of such flight.

Major Category Safety, Security and Environmental Quality

Next Scheduled Review Monday, October 30, 2028

Revision History

Edited defined terms, expanded Section 1, added Section 5 10/30/25; Updated Contact Ofc, Oversight Exec, links 8/5/24; Added Compliance section 7/22/21.

Approved By Executive Vice President and Chief Operating Officer

Approved Date Wednesday, February 15, 2017