

UADA Policy 290.1
Small Unmanned Aircraft Systems (UASs) Use Policy

Purpose

The Division of Agriculture of the University of Arkansas System (UADA) recognizes the research and educational opportunities provided by collection of aerial data from unmanned aircraft systems (UAS). These UASs, unmanned aerial vehicles (UAVs) or “drones” operate in airspace controlled by the Federal Aviation Administration (FAA). Therefore, Division of Agriculture personnel shall always abide by FAA regulations for responsible and safe UAS operation. Further, Division of Agriculture personnel will exactly follow the procedures outlined in this policy.

Policy

PROCEDURES

UASs are limited to a maximum of 55 pounds. Future changes in Division policies would be required to address the use of larger UASs as well as the use of drones to spray crops/plots for large production and research purposes. Size limits will reflect the current regulations. The UAS must be operated in a manner that does not interfere with and gives way to any manned aircraft. If flown within 5 miles of an airport, the operator of the aircraft shall provide the airport operator and the airport air traffic control tower (when an air traffic control facility is located at the airport) with prior notice of the operations (model aircraft operators flying from a permanent location within 5 miles of an airport should establish a mutually-agreed upon operating procedure with the airport operator and the airport air traffic control tower).

Purchase. The purchase of a UAS must be approved by the Unit Head and respective Associate Vice-President by submitting a [*Division of Agriculture UAS Purchase Approval Form*](#). The Senior Associate Vice-President or Associate/Assistant Vice President may delegate approval. A business reason must accompany the proposal to purchase regardless of funding source. UASs purchased by the Division of Agriculture must be used only for teaching, research or extension purposes in full compliance with Division, State, and FAA regulations. Personal UASs may be used but are subject to the same restrictions as Division-owned UASs if they are used for teaching, research or extension functions.

Alternatives to purchase should be investigated before applying for approval. Several contractors offer fee-based UAS services for data acquisition. These services may be cost effective and should be explored before purchasing a UAS.

RESEARCH AND EXTENSION USE

Registration. Unmanned aircraft systems owned by the Division of Agriculture must be registered with the FAA and the assigned registration number displayed on the aircraft (<https://faadronezone-access.faa.gov/#/>).

Certification. The FAA offers multiple means of certification for UAS operations for faculty and staff of public institutions. However, the Division of Agriculture will follow the procedures outlined in 14 CFR Part 107 to train and certify those operating small UAS for extension and research purposes (https://www.faa.gov/uas/commercial_operators). No one may operate a small UAS without completing remote pilot certification through the FAA.

Approval. Operation of UAS by Division personnel must be approved at least three (3) business days before the requested flight date regardless of whether the flight is made over UADA, other public or private properties. Approval may only be granted by the designated approving authority for the Division by submission of the [Division of Agriculture Small UAS Operations Approval Form](#). **UAS Operation should be requested by the faculty PI or unit director, not staff or students.** Requests for repetitive flights may be made for no more than 12 months but the location contact (e.g., Station Director) must be notified in writing and verbally at least 24 hours before each flight.

Operation. Small UAS operation by Division personnel shall follow the regulations of 14 CFR Part 107 at all times. Waivers may be granted by the FAA for some rules of operation, but prior approval by the Division is required for operations conducted pursuant to an FAA waiver. Please see information for acquiring waivers at the FAA [website](#). Restricted areas for UASs by the FAA may be found at the FAA [website](#).

Responsible Use. Unmanned aerial systems and components owned by the Division of Agriculture shall be used for official business only. Operation of Division-owned UASs for hobby or for personal financial gain are prohibited. Operations of a reckless nature or that compromise the safety and privacy of the general public will not be tolerated. The failure of Division personnel to comply will likely result in disciplinary action and could result in personal liability.

Voluntary Best Practices for UAS Privacy, Transparency, and Accountability (see this [website](#)).

Third-party vendors requesting permission to fly a UAS or who may be contracted to provide UAS services on UADA property must also complete the [Division of Agriculture Small UAS Operations Approval Form](#) and provide proof of insurance.

CLASSROOM USE

The FAA indicates that faculty/staff may provide limited assistance to students including 4-H operating unmanned aircraft under the hobbyist exception, but only if UAS operation is a secondary component of the curriculum. A student must maintain operational control of the unmanned aircraft, although the faculty/staff is allowed to help regain control or to terminate the flight.

Faculty conducting research may not rely on FAA Modernization and Reform Act of 2012 (Public Law 112-95), Section 336's concept of "hobby or recreational use" to operate a UAS or direct student UAS operations in connection with research. A student operating UAS for research on behalf of a faculty member is associated with that faculty member's professional duties and compensation, and, thus, the activity is not hobby or recreational use by the student pursuant to Section 336. Student operation of the UAS for the professional research objectives of faculty renders the operation non-hobby or non-recreational.

INCIDENTS AND LIABILITY

Division personnel are required to report UAS accidents to the FAA within 10 days, and to the Unit Head, and appropriate Associate/Assistant VP immediately if the incident results in: 1) serious injury to any person; 2) any loss of consciousness; or 3) damage to any property (other than the UAS) in excess of \$500 to repair or replace the property (whichever is lower). Notwithstanding the foregoing, **ANY** incident resulting in Division property damage or loss or injury must be reported to the appropriate Unit Head immediately.

Incidents that occur during operations that are "outside or beyond scope" of a faculty or staff member's official duties could result in the remote pilot being held personally liable for resulting damages or injuries. No Division employee shall operate outside of the approved location or objective for any reason.

Recordkeeping. Detailed flight records including applicable flight and weather information, objectives, sensor payloads, and locations should be kept for each approved operation. Records should be in an electronic form with the ability to be made available to appropriate Unit Head(s) immediately upon request.

Revision Dates: June, 2020 & October, 2017