

	<b>City of Eugene Administrative Policy Manual</b>	<b>APM No:</b>	5.9
		<b>Date Updated:</b>	May 21, 2019

**Policy Title: Small Unmanned Aerial Systems (sUAS – Drones)**

**Purpose:** To outline the City’s policy on the use of sUAS or Drones.

**Scope:** Applies to all City of Eugene employees.

**Definitions:**

**Small Unmanned Aerial System (sUAS)**

An unmanned aircraft of any type (weighing less than 55 pounds) that is capable of sustaining directed flight, whether preprogrammed or remotely controlled and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means. For the purpose of this policy (Policy), a sUAS includes an “Unmanned Aircraft System (UAS)” commonly referred to as a “drone,” as defined by ORS 837.300

**14 CFR Part 107**

Title 14, Code of Federal Regulations (CFR), Part 107 - Small Unmanned Aircraft Systems: issued June 28, 2016, by the Federal Aviation Administration (effective August 29, 2016) to allow and regulate the operation of small unmanned aircraft systems in the National Airspace System.

**Department Head/Executive Director/Executive Team**

The terms department head and executive are both used to describe the executive director of an individual department of the City of Eugene. Executive Team is the City’s executive leadership team composed of each department head, the city manager, assistant city manager and city attorney.

**Drone Advisory Committee (DAC)**

The DAC is an advisory body comprised of representatives from participating city departments and acts as a resource to the city on sUAS related matters.

**FAA**

Federal Aviation Administration

**Remote Pilot Certificate**

Issued by the FAA. Required to operate as a PIC of a sUAS by 14 CFR Part 107.

### **Remote Pilot in Command (PIC)**

The PIC is a City of Eugene employee who 1) holds a valid Remote Pilot Certificate and is 2) on the authorized list of approved PICs maintained by Risk Services. Employees must have a recommendation from the DAC and approval from their Department Executive Director or designee to be added to the list. The PIC is responsible for the complete and overall operation of any sUAS flight they command.

### **Policy Statement:**

The City of Eugene (City) is dedicated to embracing the use of technologies that enhance services to the public while protecting the privacy and safety of its residents. The use of Unmanned Aerial Systems by authorized staff is intended to enhance public safety and provide multiple operational benefits via the efficient use of this technology. Uses of this technology may include, but are not limited to, protecting the lives and property of citizens and first responders, enhancing situational awareness during response, and inspecting facilities, assets, infrastructure and natural resources.

This Policy applies to all Departments operating sUAS, and governs officers, employees, agents, and contractors of those Departments, including members of boards and commissions, employees, agents, contractors, and volunteers.

This Policy requires each participating Department to adopt a sUAS policy that reflects the requirements iterated in this document. Departments may add requirements to their sUAS policies, but may not remove any requirement in this document. All Department policies will be approved by the Department Executive Director after review and acceptance by the Drone Advisory Committee (DAC). Prior to a department having an approved, department specific policy, all sUAS operations will be guided by the citywide APM policy, the citywide operations manual and require department head approval prior to any sUAS use or operations.

Engaging in the unauthorized use of drones or activities that are inconsistent with this Policy may subject an officer or employee to discipline, up to and including, termination of employment or removal from office, as well as to applicable monetary fines and penalties. Similarly, unauthorized use or activities by agents or contractors may result in termination of a contract or other relationship with the City, as well as applicable penalties and monetary fines. Nothing in this Policy shall modify or reduce any due process rights provided pursuant to an applicable collective bargaining agreement.

### **Privacy:**

The City of Eugene understands that the use of sUAS technology by government entities comes with significant public concern regarding privacy. All Department sUAS policies must comply with this policy, city, state, and federal laws and regulations, and with all state and federal Constitutional guarantees.

## **Department sUAS Policy:**

Each Department that creates a sUAS policy must address the following topics:

- A. Privacy
- B. Safety
- C. Authorized Uses of sUAS
- D. Storage of Media and Data
- E. Training and Authorization of PICs

Each Department sUAS policy must adopt and include the City of Eugene sUAS Operations Manual to ensure comprehensive and consistent operational procedures among City departments.

## **Drone Advisory Committee (DAC):**

The DAC will be composed, at a minimum, of one Executive Director or designee, an Executive appointed representative from each participating department, and the risk manager or designee. This core voting group may choose to expand the membership to include other non-voting, subject matter experts. The DAC will meet bi-annually at a minimum. Any member of the DAC may call a meeting in addition to the regular meeting to discuss emerging matters. The DAC will be responsible, at a minimum, for the following actions:

- A. Annual review of APM and Citywide Operations Manual.
- B. Review and evaluate Department sUAS policies and provide recommendations for PIC approvals to individual department heads.
- C. Compile and submit required data on drone use to the Oregon Department of Aviation.
- D. Have the authority to review any data related to the use of sUAS by any City Department for compliance with this Policy.
- E. Assist with investigation, analysis and reporting of accidents/hazard occurrences.
- F. Provide policy recommendations to the City's Executive Team.

Requests for DAC assistance may be made to the *\*Eugene DRX Team* email group.

## **Other Requirements:**

Each Department shall provide Risk Services with the make, model, type, and identification (electronic and visual) of each sUAS owned by the Department and a list of all authorized PICs. Only authorized PICs listed with Risk Services or agents or contractors appropriately licensed and insured to conduct sUAS operations shall function as PIC for City operations. sUAS operations for City purposes may also be conducted in cooperation with trained and licensed staff from other public bodies,

partner agencies, and federal agencies in compliance with all requirements of this Policy.

**Related Links:**

Unmanned Aircraft Systems – Federal Aviation Administration

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

Oregon Department of Aviation UAS Links

<https://www.oregon.gov/aviation/>

Oregon Regulatory Statutes for Aircraft Operation and Registration including Unmanned Aircraft Systems - (ORS) 837.300 - 837.390

[https://www.oregonlegislature.gov/bills\\_laws/ors/ors837.html](https://www.oregonlegislature.gov/bills_laws/ors/ors837.html)