

Uncrewed Aircraft Systems Policy (UAS)

Subject: Physical Plant

Policy: Uncrewed Aircraft Systems (UAS)

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100.00 Introduction

This policy applies to all university faculty, staff, and students, using or proposing to use Uncrewed Aircraft Systems (UAS) for official University activities or operations on/over university or non-University property. Furthermore, this policy applies to all commercial operators, recreational flyers, and modeler community-based organizations flying on university property.

The purpose of this policy is to ensure that the University acquires and operates UAS efficiently, safely, and ethically and in full compliance with all applicable international, federal, state, and local rules and regulations, and builds guidelines around UAS use on campus to ensure the safety of the campus community.

200.00 Definitions

Uncrewed Aircraft Systems (UAS): UAS describes an aircraft with no pilot on board. UAS can be remote controlled aircraft or can fly autonomously based on pre-programmed flight plans. UAS is also commonly referred to, including by the FAA, as an Unmanned Aerial Vehicle (UAV), drone, or Unmanned Aircraft System. Uncrewed Aircraft System in this policy is used to reflect all of these systems as well as the fact that these complex systems could also include ground stations and other elements in addition to the actual air vehicles.

Recreational Flight: Operations of a UAS that is strictly for personal use and not linked to any financial compensation.

Official University Activities: Activities that include research, academic, administrative, safety, or other MSU related uses of UAS on campus.

Commercial Operations: Operations of a UAS for financial compensation such as being paid to take photographs or videos.

Property: Defined as part of the earth's surface that is covered by land or water.

300.00 Policy Procedures

University Communications, Safety & Risk Management, University Police and/or the Office of Research Compliance are all responsible for providing oversight and guidance for all UAS activities.

To reduce the potential legal and risk management issues involved in managing UAS activity, all UAS operations must receive prior written approval except for as provided in section 500. Approval must be obtained through the "MSU UAS Registration Process" which is managed by University Communications and involves the following offices: University Police, Safety and Risk Management, and the Office of Research Compliance (only when research is involved). Users must initiate the approval process at least 10 calendar days prior to proposed flight date.

In addition, all users must adhere to all applicable FAA, state, and local regulations as well as all terms outlined in the MSU UAS Handbook, which includes required flight areas, restrictions, safety expectations, appropriate and prohibited uses, and other guidelines.

Users must also comply with all other applicable University and State of Montana Policies. It is up to the user to determine which policies apply, but other commonly related University policies include:

[Facility Use Manual](#)

[Filming, Photography and Audio Recording on Campus Policy.](#)

[Enterprise Data Stewardship Policy - MSU Policies and Procedures | Montana State University](#)

MSU does not prohibit recreational uses, but does require pre-approval with consideration for: safety (preventing injuries, collisions, dangerous distractions), privacy (use of cameras on UAS) and disruption of other activities.

The University will designate areas where flight operations are permitted when scheduled and approved in advance. Availability of designated areas will vary according to the nature and purpose of the flight, priority, environmental conditions, and other factors.

Action will be taken on complete applications within 7 business days.

400.00 Insurance

To protect the University and others, UAS liability insurance is mandatory for all UAS activity by university faculty, staff, volunteers and students, and all other operators including those not affiliated with MSU. Insurance requirements can be found in the UAS Handbook.

Prior to any university faculty, staff, student, or unit purchasing a UAS (or the parts to assemble a UAS) for university use, a review by Safety & Risk Management is required to assess the university's ability to obtain insurance coverage for the requested use and that the use is consistent with university policies and insurance requirements.

500.00 Emergency Use by Law Enforcement and Facilities Management

The operation of UAS by the University Police Department and University Facilities Management are exempt from this policy based on the determination of emergency needs, provided the user has had sufficient training on the specific model UAS to be employed and adheres to all other applicable FAA regulations.

First responders and other organizations responding to natural disasters or other emergency situations may be eligible to fly on campus without prior authorization from the University via the Special Government Interest (SGI) amendment process (FAA Order JO 7200.23A.). Such emergency situations may include firefighting, search and rescue, law enforcement, utility or other critical infrastructure restoration or facility assessments, incident awareness and analysis, damage assessments, supporting disaster recovery related insurance claims, facility life/safety concerns identified in the field, and media coverage providing crucial information to the public. In the case of an emergency flight, the user is responsible for subsequently recording the flight in the flight log.

600.00 Enforcement

Violations of the MSU Uncrewed Aircraft Systems Policy or the associated Handbook may result in university discipline and/or the revocation of approval or ability to use a UAS for official University activities or operations on/over university or non-University property.

If a safety risk exists as determined by UPD, operators may be required to cease operations immediately. Additionally, operators could be reported to the federal regulatory agency with jurisdiction over the matter for possible investigation.

Violators could be subject to disciplinary action in accordance with applicable University policies and procedures, which may include expulsion or termination from the University. If a policy violation occurs, the violation will be referred to the office that has authority to impose discipline (i.e., Human Resources for employees, Dean of Students for students, or the sponsoring entity for non-employees or students) depending on the individual's affiliation with the University. Legal action may also be pursued against any person who operates a UAS in violation of this policy.

700.00 Appeals

Applicants who are denied use of a UAS as proposed through the application process may initiate an appeal to the Chief Compliance Officer (CCO). The appeal must be submitted within 3 business days of receipt of the decision notice. An appeal must include the following:

- 1) A statement as to why the decision is being appealed
- 2) How the request aligns with the intent and provisions of the UAS Policy and Handbook
- 3) Steps the user will take during UAS operation to ensure safety of the individuals involved as well as the campus community

Action will be taken within 7 business days of receiving the appeal. If more information is necessary, the CCO will seek more information. Once all information is received, a decision will be made within 7 business days. The proposed use of the UAS may not occur while the appeal is pending.