

12.227 UNMANNED AIRCRAFT SYSTEMS (UAS)

References:

Ohio Revised Code 4561.15, Unsafe Operation of Aircraft
 Procedure 12.106 – University Air Care Helicopter
 Procedure 12.145 – Critical Incident Response Plan
 Procedure 12.210 – Traffic Control: Major Thoroughfares
 Procedure 12.226 – Aircraft Crash Response and Reporting
 Procedure 12.230 – Fatal or Potentially Fatal Crash Investigation and Placement of
 Related Charges
 FAA Modernization and Reform Act of 2012, Public Law 112-95, § 336 (a-c)
 FAA Extension, Safety, and Security Act of 2016, Public Law 114-90, Title II
 49 U.S.C., § 40102(a)(6), § 40103 and § 44103(d)
 14 C.F.R. including § 1.1, § 91.13 and Part 73
 Small UAS Rule (Part 107)
 CPD Training Bulletin 2016-01, Unmanned Aircraft Systems (UAS)
 Administrative Regulation No. 71

<http://www.faa.gov>

<http://knowbeforeyoufly.org>

Definitions:

Aircraft Crash – An occurrence involving an aircraft in flight (takeoffs and landings included) that results in injury to an occupant of the aircraft or substantial structural damage to the aircraft. An aircraft striking an object while being taxied or bent propellers and broken wheels from a hard-landing, if no one is injured, are not considered crashes.

Aircraft – Any device invented, used, or designed to navigate or fly in the air, typically flown by an onboard pilot.

Small Unmanned Aircraft Systems (UAS) – A small UA and its associated elements (including communication links and the components that control the small UA) that are required for the safe and efficient operation of the small UA in the National Airspace System (NAS).

Model Aircraft – A UAS that is flown for hobby or recreational purposes within visual line of sight of the person operating the aircraft and in compliance with the Federal Aviation Administration's (FAA) rules and regulations.

Purpose:

To educate officers regarding compliance with the FAA's rules and regulations and any restrictions contained in any Certificate of Waiver or Authorization issued by the FAA to the UAS operator and to provide guidance on reporting violations to the FAA. FAA regulations apply to the operation of all aircraft, whether manned or unmanned, and irrespective of the altitude at which the aircraft is operating.

Information:

A UAS is considered an “aircraft” as defined in the FAA’s authorizing statutes and is therefore subject to regulation by the FAA. An aircraft is “Any device invented, used, and designed to navigate or fly in the air, typically flown by an onboard pilot.”

The FAA has issued special regulations regarding the use of UAS, and all individuals involved in the operation of UAS are required to be familiar with all FAA regulations pertaining to UAS.

Procedure:**A. Unmanned Aircraft Systems (UAS)**

1. Operation of UAS – Model Aircraft used for hobby or recreational purposes
 - a. Flying an UAS operated only for hobby or recreational purposes does not require FAA approval, but it must be operated safely, in accordance with the law and be flown within visual line of sight of the person operating the UAS.
 - b. The UAS must be marked and must be registered if over 0.55 pounds.
 - c. The UAS must weigh less than 55 pounds (25 kg) unless otherwise certified by the FAA.
 - d. The UAS must be operated in a manner that does not interfere with and gives way to any manned aircraft; and
 - e. When flown within 5 miles of an airport, the operator of the aircraft must provide the airport operator/air traffic control tower with prior notice of the operation.
 - f. The operator of the UAS must follow a set of community-based safety guidelines such as the Academy of Model Aeronautics.
 - g. Operators may also choose to operate a UAS in accordance with the FAA’s Small UAS Rule.
2. Operation of UAS – NOT Model Aircraft and used for non-recreational or business purposes
 - a. A UAS may be also operated under the Part 107 Rule which includes, but is not limited to, the following restrictions:
 - 1) The Operator must be at least 16 years of age, pass a FAA aeronautical knowledge test and be vetted by the FAA.
 - 2) The UAS must be less than 55 pounds and must be registered with the FAA.
 - 3) The Operator must keep the UAS in the operator’s visual line of sight or the visual line of sight of an observer.

- 4) The UAS can only fly during daylight hours, under 400 feet, and less than 100 mph.
- 5) The UAS cannot fly over people or from a moving vehicle.
- 6) The UAS must yield the right of way to manned aircraft.
- b. If not in compliance with the above, the UAS may only be operated with specific authorization (Certificate of Waiver) from the FAA.
- 3. Notice to Airmen (NOTAMS)/Flight Advisements/Restrictions
 - a. Regional flight advisements/restrictions govern **all** aircraft
 - 1) The following NOTAM is in effect for the City of Cincinnati and restricts the use of aircrafts within 3 miles around and 3,000 feet in altitude above the sports venues listed below:
 - a) Paul Brown Stadium
 - b) Great American Ball Park
 - c) University of Cincinnati, Nippert Stadium
 - 2) Restrictions apply 1 hour prior to the scheduled time of the event until 1 hour after the end of the event.
 - b. Operations within restricted areas designated in 14 C.F.R. part 73 (e.g. Presidential movements, select sporting events) are prohibited without permission from the using or controlling agency.
 - c. Requesting Temporary Flight Restrictions (TFR)
 - 1) Temporary Flight Restrictions can be requested by law enforcement for the following reasons:
 - a) Disaster/Hazard areas/Sensitive law enforcement activities
 - b) Aircraft accident/Incident sites
 - d. Contact the FAA at (817) 222-5006 to request a TFR.
- B. Calls for Service/Complaints/Crashes
 - 1. Locate the operator of the UAS.
 - 2. Ask for registration and verify markings on the UAS.
 - 3. Ask the operator for the type of operation and to present appropriate documentation.
 - 4. Interview the operator and obtain pertinent information (Name – ID; address; registration number; any other documentation e.g., COA; location; date/time; witnesses; pictures etc.).
 - 5. Refer to local laws and ordinances, if applicable (e.g., criminal damaging, assault).

6. Contact the FAA Central Regional Operation Center (ROC) at (817) 222-5006, or 9-CSA-ROC@faa.gov, for immediate notification of an incident, accident or other suspected violation. The center is manned 24 hours a day, 7 days a week.
- C. Law Enforcement Assistance Program (LEAP)
1. FAA LEAP Special Agents are available to provide aviation-related support to law enforcement agencies seeking criminal prosecution or conducting airborne drug interdiction.
 - a. The contact number for our region's Special Agent is (847) 343-3860.
 - b. For immediate assistance, law enforcement officers may also call the Washington, D.C. National Operation Center at (202) 267-3333.