



INCORPORATED COUNTY OF LOS ALAMOS ADMINISTRATIVE PROCEDURE GUIDELINE

Index No. 0290

Effective: June 12, 2018

USE OF AN UNMANNED AERIAL SYSTEM BY COUNTY EMPLOYEES

I. Purpose

The purpose of this policy is to establish the policy for the use of any unmanned aerial system (UAS) - also more commonly known as a drone - by departments of Los Alamos County. Departments must comply with current federal law, specifically Federal Aviation Administration (FAA) regulations, and any State laws for operation of a UAS. At the local level, it is the purpose of this Policy to also establish requirements to ensure that departments understand which laws and regulations are applicable to the proposed UAS, and to set forth further Policy regarding the use of a UAS. Additional guidelines for safe flight must be in place within the department outlining the business purpose, training requirements, height requirements, and any additional information regarding the flight time, operator, or use of the UAS.

II. Policy

- A. Use or operation of a UAS.** Operation of a UAS shall only occur in compliance with the requirements set forth in 14 CFR Part 107, as amended, in effect on the date of the flight, or pursuant to the requirements set forth in a certificate of authority or exemption issued by the FAA which is valid the date of the flight.
- B. Flights within 5 miles of Los Alamos Airport.** If operating within 5 miles of the Los Alamos Airport, the operator shall notify the airport manager in advance of the flight. In no case will the UAS be operated in a manner that interferes with operations and traffic patterns at the airport. A webpage under the County's website that is maintained by the Airport Manager contains a database where this information is entered and displayed to the public.
- C. Operating within LANL Restricted Airspace.** Operation of a UAS within LANL Restricted Airspace R5101 is prohibited without the express written permission of the LANL Aviation Safety Officer.

- D. Flights on Public Property.** The UAS may be operated on or over County property, easements, right of way and utility infrastructure for business purposes only.
- E. Flights on Private Property for a Business Purpose.** The UAS may only be operated on or over privately-owned property with the consent of the owner or occupant of the property, for business purposes only.
- a. **Exception:** The Information Management (IM) Division operates a UAS on behalf of the County Assessor, for the business purpose of collecting topographical survey data on or over properties. The UAS operates over a broad expanse of geographical locations at a height of approximately 200 feet. It would not be practical as a matter of business to obtain consent from every property owner or occupant for these types of flights, however, IM does register the geographical boundaries of flight 24 hours in advance on the Airport's webpage (reference (II.B) above.)
 - b. **Exception:** The Los Alamos Fire Department operates a UAS for public safety and emergency response, such as wildfire spotting or Search & Rescue missions. It would not be practical in an emergency situation to obtain consent from every property owner or occupant for these types of flights.
- F. Operating UAS in a Safe and Lawful Manner.** In all cases of flight on or over public or private property for a business purpose, the UAS will be operated in a safe and lawful manner that does not interfere with the use and enjoyment of private property, or that invades the private space or solitude of the owner or occupants of the property.
- G. Certification.** County employees operating a UAS must be properly trained and hold a Remote Pilot Certificate with a Small UAS Rating as is required by 14 CFR Part 107. They shall safely operate the UAS in accordance with requirements set forth in this policy and any requirements set forth in federal, state and local laws, ordinances or regulations.
- H. Registration.** Every UAS shall be registered with the FAA as required by law. Application for registration shall be through designated administrators who have access to a primary Los Alamos County registration for UAS. The registration number shall be marked on the UAS and clearly visible to the public along with a marking (lettering or County logo/decal) indicating to the public during flight that the UAS is owned by the County. Requests to update a UAS registration, or, to remove the UAS from service and terminate registration, will be given to the designated administrators.
- I. Insurance.** Each department in possession of a UAS will immediately notify the

County Risk Manager. Said departments will, at a minimum, provide the Risk Manager with copies of a complete manufacturer's description of type, make, model, FAA registration and stated purpose of use. The Risk Manager will arrange for insurance coverage and will notified said departments when insurance coverage is in effect. Said department will not fly UAS unless and until they are notified that their UAS has insurance coverage. Said departments will notify the Risk Manager if their UAS is permanently removed from service, and/or if any replacement is intended to be placed in service. Upon request, said departments will provide copies of any UAS records, including videos and photos to the Risk Manager.

- J. In flight requirements. During UAS flights, the County employee shall wear a County uniform or other visible County identification clearly indicating to the observing Public that the UAS is being flown by the County.
- K. UAS Equipment and Training Records. Each department flying a UAS shall keep all records required by federal or state law. Documents required by the FAA – such as those for registration, inspection, testing, or training – will be maintained within the department.
- L. Other UAS Records. Video or photos will not be recorded and retained unless stated in the department's policy and for an express business purpose. Video or photos captured which contain information not relevant to the department's policy regarding the business purpose of the flight will be edited or deleted prior to creation and retention of the business record. State records retention laws govern retention of video or photo files as outlined in County Manager Policy 0310.
- M. Public Notice Given of Departments Who Own and Operate a UAS. Appendix A contains a listing of all County departments and/or divisions who own and operate a UAS, and, who have filed a department UAS policy that has been approved by the County Manager. This list contains the department or division name, business purpose of the UAS, registration number and contact information for citizens who desire to discuss any UAS flight with a department director. This list will be maintained on the County's "Open Gov" page of its website, with a separate link to the Airport's webpage where all UAS flights will be registered in advance.
- N. Contractor use of UAS. Any contractor hired by any County department to perform UAS flight services will perform said work entirely in compliance with the terms, conditions and requirements of this County policy. Before any such contractor performs such work, the contractor will provide copies of FAA licensing, all manufacturer descriptions of type, make, model, FAA registration of the subject UAS, and proof of acceptable liability insurance, to the County Risk Manager. While performing such work, the contractor or the contractor's representative must wear uniforms or clothing which clearly identifies the employee and company, and contractor or contractor's representative must carry documentation which indicates

that the UAS is being operated on behalf of the County.

III. Responsibilities

UAS Remote Control Pilots – Employees who are trained and certified to operate a UAS are expected to review this policy and any related department policy regarding operation of the UAS prior to use. They must understand and be cognizant of related laws, regulations, ordinances or restrictions regarding UAS use at the local, state and federal level.

Division Manager and Department Directors – These employees are required to maintain and approve any UAS specific policies within their department and to ensure that proper training is provided. They will ensure that appropriate records are maintained. Department UAS policies require additional approval by the County Manager prior to UAS use. Departmental policies will be reviewed at least once a year for any improvements, based upon experience using the UAS.

Designated Administrators for UAS Registration – These employees are authorized by the County Manager to access the Los Alamos County account filed with the FAA and to register, update or delete a department or division UAS. At least one primary and one back up are required.

Prepared by: County Manager's Office

HARRY BURGESS
County Manager

DATE

Appendix A. UAS Policy
(Date)

Dept or Division Operating UAS	Regis. #	Business Purpose for use of the UAS	Contact Name	Contact Phone	Contact Email
Los Alamos Police Department					
Los Alamos Fire Department					
Information Mngmt/GIS Division					
Public Works/Traffic Division					
Community Dev/Building Division					
County Mngr/Comm'n & PR Division					

For general questions regarding UAS Policy or Dept. Use, email lacmanager@lacnm.us or call 663-1750.