

University of Tennessee at Martin
Unmanned Aircraft Systems Procedure

UNMANNED AIRCRAFT SYSTEMS

EFFECTIVE DATE: 02/1/2017

OBJECTIVES:

1. To establish the procedure to implement the UT Policy for the use of unmanned aircraft systems (UAS) at UT Martin that will ensure compliance with federal, state, and local laws and regulations, including without limitation FAA regulations for use of unmanned aircraft systems.
2. To mitigate risks to the University and to individuals potentially affected by the operations of unmanned aircraft systems (e.g., risks relating to safety, security, privacy, and liability).

SCOPE:

This procedure applies to all persons who use or intend to use UAS either on University property or in connection with University employment. This procedure supplements the University of Tennessee's rule on the use of unmanned aircraft, Chapter 1720-01-02-.06, and applies to University units even though Chapter 1720-01-02-.06 exempts University units.

DEFINITIONS:

1. The acronym "FAA" means the Federal Aviation Administration, which is the federal government agency that regulates the national airspace system, including, without limitation, the operation of UAS.
2. The term "University property" means any and all real property owned, controlled, or operated by The University of Tennessee, including the air above the property necessary for the reasonable use and enjoyment of the property.
3. The term "University unit" means any and all academic, administrative, or auxiliary departments or divisions of the University or any other official entities of the University, functioning through University employees acting within the scope of their University employment.
4. The term "unmanned aircraft" means a device that is used or is intended to be used for flight in the air without an individual in or on the device.
5. The term "unmanned aircraft systems" or "UAS" means an unmanned aircraft and its associated elements that are required for the safe and efficient operation of that aircraft in the national airspace system.

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PROCEEDURE:

1. UAS Coordinator

Ted Council, Safety Officer, has been designated as the UAS Coordinator for UT Martin. The UAS Coordinator shall be responsible for:

- reviewing, approving, and providing guidance for UAS operations on UT Martin property or in connection with University employment; and
- establishing this procedure to implement and enforce the requirements of the UT UAS Policy.

2. Operation of UAS

A. All persons who use UAS on or above UT Martin property or in connection with University employment are personally responsible for complying with:

- (1) Federal, state, or local laws or regulations, including without limitation, FAA regulations (e.g., operational, registration, licensing, and notification requirements) and export control regulations; and
- (2) University rules, policies, procedures, contracts, and research grants.

B. All persons must obtain approval for the operation of a UAS from the UAS Coordinator prior to operating a UAS on or above UT Martin property unless the UAS is operated as required by law or by law enforcement or emergency personnel acting under the authority of law.

(1) Persons requesting approval for the operation of a UAS must, at a minimum, demonstrate to the UAS Coordinator that the operation of the UAS will be in compliance with the UT UAS policy and this procedure, including without limitation, the operational, registration, licensing, and notification requirements set forth in FAA regulations.

(2) Requests for approval for operation of a UAS shall be submitted to the UAS Coordinator at least two weeks in advance of the proposed UAS operation. (This is to allow any necessary coordination and response from the UT Offices of Risk Management and General Counsel.) If a request for approval for operation of a UAS is submitted to the UAS Coordinator less than two weeks prior to the proposed UAS date of operation, the request may not get approved. The UAS Coordinator may provide a blanket approval to operate UAS (i.e., exempt a person from the requirement to obtain approval from the UAS Coordinator prior to each UAS operation).

(3) If the UAS is to be operated by a person who is not a University of Tennessee employee, the UAS Coordinator shall consult with the Office of Risk Management and the Office of the General Counsel, as necessary, who may impose requirements relating to proof of insurance and the execution of releases of liability with respect to UAS operations.

(4) The UAS Coordinator may request additional information or clarification from the requestor and may provide direction or other requirements as a condition for approving the UAS operation.

C. All UT Martin employees must obtain approval for the operation of a university-owned UAS on non-University property from the UAS Coordinator prior to operating the UAS. The request must be submitted to the UAS Coordinator at least two weeks prior to the proposed date of use. The UAS Coordinator may provide a blanket approval to operate UAS.

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D. UAS must not be operated:

- (1) In a manner that violates this procedure, including without limitation, violating federal, state, or local laws or regulations;
- (2) Inside University buildings or facilities;
- (3) On University-owned streets or University-owned sidewalks;
- (4) Above a human being who is either not directly participating in the operation of the unmanned aircraft or not located under a covered structure that can provide reasonable protection from a falling unmanned aircraft;
- (5) On University property within four hours prior to the scheduled kickoff time of an intercollegiate football game on the campus, during the game, or within two hours after the conclusion of the game;
- (6) Outside the hours of official sunrise and sunset;
- (7) In a manner that blocks or substantially impedes vehicular, bicycle, pedestrian, or other traffic;
- (8) In a manner that blocks or substantially impedes entrances or exits to University property;
- (9) In a manner that substantially disrupts or interferes with operations, events, or activities taking place on University property;
- (10) In a manner or in a place that unreasonably threatens the health or safety of another person;
- (11) In a manner that monitors or records an area where a person has a reasonable expectation of privacy;
- (12) In a manner or in a place that unreasonably threatens damage to University buildings or property;
- (13) Above 400 feet or near surrounding obstacles, such as power lines;
- (14) Above 100 mph;
- (15) Beyond the operator's eyesight at any time (use an observer to assist if needed);
- (16) Near emergency response efforts, such as fires, accidents, etc., where emergency response personnel may be present;
- (17) If the UAS operator is under the influence of drugs or alcohol;
- (18) In airspace restrictions. Never fly near other aircraft. Never fly within 5 miles of an airport or heliport without first contacting air traffic control and airport authorities (UT Martin is over 5 miles from Everett-Stewart Regional Airport; however, is only approximately one mile from Air Evac Heliport. Before flying, notify both Air Evac at 731-588-5030 and their dispatcher at 1-800-247-3822 of your intended flight plans); or
- (19) From a moving vehicle.

E. The UAS Coordinator may grant exceptions to this procedure that are in the best interests of the University as long as the exceptions do not violate any federal, state, or local law or regulation.

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3. Purchases of UAS by University Units

- A. University units must comply with [FISCAL POLICY FI0405](#) with respect to purchases of UAS. University units should consult with the UAS Coordinator before purchasing UAS with University funds in order to ensure that the proposed use(s) of the UAS will be in accordance with this policy, FAA regulations, and export control regulations.
- B. University units must comply with [FISCAL POLICY FI0605](#) with respect to using, recording, controlling, maintaining, repairing, transferring, and disposing of UAS.
- C. University units must notify the Office of Risk Management about UAS purchased with University funds. The Office of Risk Management is authorized to develop procedures to implement the notification requirement. The UAS Coordinator shall also be notified, and a copy of the information submitted to the Office of Risk Management shall be forwarded to the UAS Coordinator.

4. Export Control Regulations

The United States Department of State (Export Control Regulations) and the United States Department of Commerce (International Traffic in Arms Regulations) regulate export control over various types of UAS. UT Martin employees who plan on designing, building, modifying, and/or dismantling UAS must give prior notice to Dr. Joan West, Chief Research Officer and Director of Research, Grants, and Contracts. In addition, with respect to UAS purchased by University units, the Office of Risk Management will conduct an initial export control review of each UAS purchase and the proposed use of the UAS and, when appropriate, will request a more detailed assessment or other involvement by the appropriate campus or institute export control office.

5. Consequences for Policy Violations

- A. Individuals who violate this procedure may be required to cease operation of their UAS immediately and until procedure compliance is achieved.
- B. Individuals who violate this procedure may be held accountable for their actions in accordance with law and applicable University of Tennessee disciplinary policies and procedures. The UAS Coordinator is authorized to notify the FAA and/or law enforcement of violations of this procedure, law, and/or regulations.
- C. The UAS Coordinator may consider an individual's history of compliance or non-compliance with this procedure in determining whether to grant a request to operate a UAS.