

UT Health Science Center:	
GS5108 - Unmanned Aircraft Systems Policy	
Version 1	Publication Date: 06/14/2022

No./Title: GS5108 – UNMANNED AIRCRAFT SYSTEMS POLICY	Resp. Office: Campus Safety and Emergency Management	Effective Date: 5/31/2022
Category: General Safety	Last Review: 6/30/2017	Next Review: 6/30/2025
Contact: Tim Barton, Chief Safety Officer	☎ 901.448.7374	✉ tbarton4@uthsc.edu
Related Policies: UT System Safety Policy SA0100 UT System Safety Policy SA0700 UT System Safety Policy SA0950	UT System Fiscal Policy FI0405 UT System Fiscal Policy FI0605	
Forms:		

PURPOSE, SCOPE, AND APPLICABILITY

To ensure compliance with federal, state, and local laws and regulations, including without limitation, FAA regulations. To mitigate 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).

This policy applies to all persons who use or intend to use UAS either on University Tennessee Health Science Center property or in connection with University employment. This policy 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.

ABBREVIATIONS, ACRONYMS AND DEFINITIONS:

- a. The term "**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.
- b. 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.
- c. 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.
- d. 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.

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- e. The term "**unmanned aircraft systems**" or "**UAS**" means an unmanned aircrafts and its associated elements that are required for the safe and efficient operation of that aircraft in the national airspace system.
- f. The term "**small unmanned aircraft systems**" or "**sUAS**" means unmanned aircraft operated for hobby and recreational purposes under specific safety guidelines as established by Congress. Small UAS flown for recreational purposes are typically known as model aircraft.
- g. The term "**recreational users**" means an unmanned aircraft is recreational use of sUAS is the operation of an unmanned aircraft for personal interests and enjoyment.
- h. The term "**public entity**" means that operation of an unmanned aircraft by an entity, such as a publicly funded university, law enforcement agency, fire department, or any other federal or state government agency follow the rules for "business users".
- i. The term "**business user**" means an unmanned aircraft flown with any commercial use in connection with a business, including:
 - a. Selling photos or videos taken from a UAS
 - b. Using UAS to provide contract services, such as industrial equipment or factory inspection
 - c. Using UAS to provide professional services, such as security or telecommunications
 - d. Using UAS to monitor the progress of work your company is performing
- j. The term "**ATC**" means Air Traffic Control. Memphis ATC is ZME – Memphis Center, and is considered the ground-based personnel and equipment concerned with monitoring and controlling air traffic within a particular area.

GENERAL GUIDELINES

Users of commercial and recreational UAS should be aware that in remote, rural and agricultural areas, manned aircraft, including fixed-wing aircraft and helicopters, may be operating very close to ground level. Pilots conducting agricultural, firefighting, law enforcement, emergency medical, wildlife survey operations and a variety of other services all legally and routinely work in low-level airspace. Operators controlling UAS in these areas should maintain situational awareness, give way to, and remain a safe distance from these low-level, manned airplanes and helicopters.

Before any flight within the University Property, the operator must contact any airports (including heliports and sea-based airports) and air traffic control towers within five miles of your proposed area of operations if flying under the Special Rule for Model Aircraft (Public Law 112-95, Section 336).

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Airports:

Community-based guidelines require recreational operators to give notice for flights within 5 statute miles of an airport. Notice must be given to the airport operator or air traffic control tower, if the airport has a tower.

Heliports

There is also a 5-mile radius around designated heliports. These heliports may not be active, and in some instances may be an empty field where helicopters can land in emergencies. There are numerous heliports in the downtown Memphis area that must be considered.

An airport operator can object to the proposed use of a model aircraft within five miles of an airport if the proposed activity would endanger the safety of the airspace. However, the airport operator cannot prohibit or prevent the model aircraft operator from operating within five miles of the airport. Unsafe flying in spite of the objection of an airport operator may be evidence that the operator was endangering the safety of the National Airspace System. Additionally, the UAS operator must comply with any applicable airspace requirements.

COMMERCIAL REQUIREMENTS

Flight of a UAS for commercial use as a “business user”, the operator must follow the FAA’s set of operational rules (known as “Part 107”). These rules went into effect on August 29, 2016.

The new rules keep the existing limitations that commercial drones may only fly during daylight, must stay below 400ft, and can weigh no more than 55 pounds. The new rules also establish a top speed of 100 miles per hour. Small drones will now be allowed to fly in sparsely populated areas without FAA approval, but must still work with air traffic control if they are planning to fly a mission over crowded airspace or above heavily populated areas. The rules also noted that an operator can fly a commercial drone without a certificate if they are supervised by someone who has been certified, opening up the possibility that future rule sets might allow multiple drones could be operated by a team with only a single certified operator who acts as an overseer.

Remote Pilot requirements:

- Must be at least 16 years of age
- Must hold a [remote pilot airman certificate](#) with a small UAS rating or be under the direct supervision of someone holding a remote pilot airman certificate

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- Must pass the applicable Transportation Security Administration (TSA) vetting

UAS requirements:

- Must weigh less than 55 lbs.*
- Must undergo pre-flight check by remote pilot in command (a.k.a. you or the person supervising the operation)

Location requirements (click [here](#) for more details on these airspace classes):

- Operations in Class B, C, D and E airspace are allowed with the required Air Traffic Controller (ATC) permission
- Operations in Class G airspace are allowed without ATC permission

RECREATIONAL REQUIREMENTS

The University of Tennessee Health Science Center resides within zones that are considered restricted for recreational users. This information is located on the [“Know Before You Fly”](#) website.

- 1. United States: Controlled Airspace – ATC Permission Required**
- 2. United States: Airports - Notification Required**

The recreational use of sUAS is the operation of an unmanned aircraft for personal interests and enjoyment. For example, using a sUAS to take photographs for your own personal use would be considered recreational; using the same device to take photographs or videos for compensation or sale to another individual would be considered a commercial operation. You should check with the FAA for further determination as to what constitutes commercial or other non-hobby, non-recreational sUAS operations.

Under the Special Rule for Model Aircraft, recreational UAS must be operated in accordance with several requirements, including a community-based set of safety guidelines and within the programming of a nationwide community-based organization such as the Academy of Model Aeronautics (AMA). Operators not operating within the safety program of a community-based organization should follow the FAA’s guidance [here](#).

As of Dec. 21, 2015, the Federal Aviation Administration requires all owners of small unmanned aircraft, or drones, weighing between 0.55 and 55 pounds to [register online](#) before taking to the skies.

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UAS COORDINATOR

UTHSC shall designate a person or committee ("UAS Coordinator") who will be responsible for: (1) reviewing, approving, and providing guidance for UAS operations on University property or in connection with University employment; and (2) establishing procedures to implement and enforce this policy.

The UAS Coordinator shall be familiar with all applicable federal policies, regulatory requirements, flight notification procedures, etc.

The UAS Coordinator must also be knowledgeable in the rules and regulations of State, and Local entities concerning the flight of UAS vehicles.

The UAS Coordinator shall be familiar with the different classes and types of UAS vehicles available on the market, and how they may correspond between recreational and business use.

Ideally the UAS coordinator shall have a current **Remote Pilot Certificate** issued by the FAA, which requires (in part), passing of the aeronautical knowledge exam, and passing a recurrent knowledge test every two years. This would ensure that a qualified authority would exist for the program, and act as an overseer for any flight operations on campus.

OPERATION OF UAS

- a. All persons who use UAS on University property or in connection with University employment are personally responsible for complying with:
 - i. 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
 - ii. 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 University property unless the UAS is operated as required by law or by law enforcement or emergency personnel acting under the authority of law.
 - i. 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 this policy, including without limitation, the operational, registration, licensing, and notification requirements set forth in FAA regulations.

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- ii. The UAS Coordinator may adopt a procedure requiring persons to submit requests for approval for the operation of a UAS to the UAS Coordinator within a certain amount of time in advance of the proposed UAS operation. 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).
 - iii. The UAS Coordinator, in consultation with the Office of Risk Management and the Office of the General Counsel, may impose requirements relating to proof of insurance and the execution of releases of liability with respect to UAS operations by persons who are not University employees.
 - iv. The UAS Coordinator may request additional information or clarification from the requestor, and may provide direction or other requirements as a condition of approving the UAS operations.
- c. All employees must obtain approval for the operation of a UAS on non-University property from the UAS Coordinator prior to operating a UAS. The UAS Coordinator may adopt a procedure requiring employees to submit requests for approval for the operation of a UAS to the UAS Coordinator within a certain amount of time in advance of the proposed UAS operation. The UAS Coordinator may provide a blanket approval to operate UAS.
- d. UAS must not be operated:
- i. In a manner that violates this policy, including without limitation, violating federal, state, or local laws or regulations;
 - ii. Do not fly near or over sensitive infrastructure or property such as power stations, water treatment facilities, correctional facilities, heavily traveled roadways, government facilities, etc
 - iii. Inside University buildings or facilities;
 - iv. On University-owned streets or University-owned sidewalks;
 - v. 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; and

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- vi. Do not intentionally fly over unprotected persons or moving vehicles, and remain at least 25 feet away from individuals and vulnerable property;
 - vii. In adverse weather conditions such as high winds or reduced visibility;
 - viii. Under the influence of alcohol or drugs;
 - ix. Outside the hours of official sunrise and sunset; or
 - x. In a manner that blocks or substantially impedes vehicular bicycle, pedestrian, or other traffic;
 - xi. In a manner that blocks or substantially impedes entrances or exits to University property;
 - xii. In a manner that substantially disrupts or interferes with operations, events, or activities taking place on University property;
 - xiii. In a manner or in a place that unreasonably threatens the health or safety of another person;
 - xiv. Do not conduct surveillance or photograph persons in areas where there is an expectation of privacy without the individual’s permission;
 - a. Also, please read the [voluntary guidelines for “neighborly” drone use](#), which serve to provide guidance to UAS operators on ways to balance their rights as drone users and other people’s rights to privacy
 - xv. In a manner or in a place that unreasonable threatens damage to University property.
- e. The UAS Coordinator may grant exceptions to this policy 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.

PURCHASES OF UAS BY UNIVERSITY UNITS

- a. University units must comply with [FISCAL POLICY FIO405](#) 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.

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- b. University units must comply with [FISCAL POLICY FIO605](#) 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.

CONSEQUENCES FOR POLICY VIOLATIONS

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