

University of Wisconsin – Madison

Unmanned Aircraft Systems (UAS) Policy

I. Purpose. This document establishes University of Wisconsin-Madison (UW) policy governing the operation of unmanned aircraft systems (UAS) on UW premises or in connection with UW-sanctioned activities.

II. Scope. This Policy applies to the operation of UAS by faculty, staff and students in connection with instructional, research, outreach and other institutional uses, as well as all uses of UAS by any person or organization on or in any lands or facilities owned by, leased by, or otherwise under the control of the UW. This Policy applies to UAS operations in both indoor and exterior spaces and to UAS operations in connection with UW activities whether occurring within the United States or internationally. This Policy does not apply to UAS operations by the University of Wisconsin Police Department or other first responder operations conducted in accordance with applicable law.

III. General Principles.

a. UAS operations within the scope of this Policy may not occur unless approved as provided in this Policy.

b. All UAS operations on UW premises or in connection with UW activities must be conducted in compliance with this Policy, related procedures, and all applicable state, federal and local laws and regulations.

c. UAS operations by students, employees or visitors for recreational or hobbyist purposes are not permitted on UW premises under this Policy. UAS operations by registered student organizations and/or by students in connection with UW coursework, are eligible to be considered for approval under this Policy as instructional uses. UAS operations by third parties for marketing/promotional purposes are not permitted under this policy and should be directed to University Marketing.

IV. UAS Ethics and Safety Committee.

A UAS Ethics and Safety Committee is established to review proposed UAS operations for consistency with applicable law, regulations, and policy; to provide recommendations to the Vice Chancellor for Research and Graduate Education (VCRGE) and the Vice Chancellor for Finance and Administration (VCFA) regarding the approval or rejection of specific proposals for UAS operations; to provide policy recommendations to the VCRGE and VCFA relating to such things as minimum UAS operator requirements, privacy, safety, incident reporting, maintenance, record-keeping and data management; and such other duties as may be requested. The Committee will be appointed by the Vice Chancellor for Research and Graduate Education in consultation with the Vice Provost for Teaching and Learning and the Vice Chancellor for Finance and Administration.

V. Approval Process.

a. Application process. UW faculty, staff, students, contractors and affiliates seeking to operate UAS for UW-related education, research and non-academic purposes must submit an application (see Appendix A) to the UAS Ethics and Safety Committee for review no less than thirty (30) days in advance of the first proposed flight date.

b. FAA waivers. If applicant's planned operation will require a waiver of FAA rules, it is recommended that the applicant apply for the waiver at least ninety (90) days in advance of the first proposed flight date. Applications for waivers are submitted through the following FAA website: https://www.faa.gov/uas/request_waiver/. If applicable, please include a copy of the FAA waiver application (or approved waiver) with the application form (Appendix A).

b. Approval. The Committee will recommend approval of the application provided it adequately describes the proposed activity and reasonably assures that the proposed activity meets the requirements of this Policy and related procedures, as well as the applicable laws and regulations. Applications for operations requiring an FAA waiver will be conditionally approved if the waiver is still pending, with final approval granted upon receipt of the FAA waiver.

c. Application for facilities operations. A separate application form and approval process managed by the Division of Facilities Planning and Management applies to requests for UAS operations by facilities planning and design consultant teams, and/or on behalf of architects, engineers, or construction contractors engaged in facility projects on UW lands pursuant to contracts issued by the State of Wisconsin Department of Administration or by the University of Wisconsin System Administration on behalf of UW-Madison. See Appendix B.

VI. UAS Pilots

a. Qualifications. All UAS operated on UW premises or in connection with UW-related activities must be operated by an individual who has the requisite certifications and experience necessary to conduct the UAS operation lawfully and safely. In most cases, such operations must be conducted by an individual who maintains a valid remote pilot certificate issued by the FAA (the "Remote Pilot in Command", or "RPIC"), unless an exception is granted by the UAS Ethics and Safety Committee in circumstances permitted by applicable law. The UAS Ethics and Safety Committee may require a minimum level of flight experience for UAS pilots, including those holding a RPIC certification, as a prerequisite to approving an application for UAS operation if deemed necessary to ensure the UAS operation can be safely conducted.

b. Safe operations. The RPIC associated with an approved application is responsible for ensuring the UAS operation is conducted safely and in accordance with all applicable legal requirements. While administrative or law enforcement personnel may overrule the

RPIC's determination that a UAS operation can be safely or lawfully conducted, the RPIC's determination that an approved UAS operation cannot be conducted safely or lawfully may not be overridden by any other person or body. Similarly, in cases where the UAS Ethics and Safety Committee approves an application for UAS operations in which the operation will be conducted by someone other than a person holding a valid RPIC certification, the applicant fulfills the role of RPIC and is responsible for ensuring the operation is conducted safely and in accordance with all applicable legal requirements. While administrative or law enforcement personnel may overrule the applicant's determination that a UAS operation can be safely or lawfully conducted, the applicant's determination that an approved UAS operation cannot be conducted safely or lawfully may not be overridden by any other person or body.

c. Land-owner permissions. Prior to each flight, all UAS operators must ensure that they obtain written permission from the owner of any property that will be occupied or overflown during the flight if on non-UW owned land. UW personnel should use the form provided in Appendix C to obtain property owner permission for UAS operations occurring on private property. For flights on the UW campus, permission must be obtained from the Vice Chancellor for Finance and Administration or designee. For flights at off-campus UW premises, permission must be obtained from the Dean's or Director's office of the School, College, Division or Center with oversight of such lands.

d. Accident/incident reporting. All UAS operators are expected to adhere to the operating plan of the approved application as well as any limitations imposed by the Committee. UW-affiliated UAS operators must report to the FAA any UAS accident involving serious injury to persons or any loss of consciousness, or property damage of \$500 or more (not including the value of the UAS), no later than ten (10) days after the accident at the following website: https://www.faa.gov/uas/report_accident/. UW-affiliated UAS operators must also report to the UAS Ethics and Safety Committee all accidents involving any injury to persons, any damage to property (other than the UAS), any incidents in which UAS operations could reasonably raise privacy concerns, and any incidents involving loss of command and/or control of a UAS that resulted in a deviation from the approved operating plan. Reportable events will be submitted by UAS operators to the Committee using a template report form (see Appendix D). In order to encourage reporting and promote a culture of safety, this additional reporting requirement is intended to be non-punitive.

e. Contractor/consultant reporting. Contractors or planning and design consultants operating UAS on UW premises or in connection with UW activities are required to comply with FAA reporting requirements for incidents involving UAS operations and must agree to provide the UW with a copy of any such reports as a prerequisite for approval to conduct such UAS operations.

VII. Aircraft.

a. FAA requirements. All UAS operated on UW premises or in connection with UW activities must be airworthy and otherwise comply with applicable regulatory requirements. For UAS operations within the United States, UAS that weigh 55 pounds or

less—total weight including all payload— are eligible to be operated under the Federal Aviation Regulation Part 107: *Operation and Certification of Small Unmanned Aircraft Systems* (FAR Part 107). Applicants seeking to operate aircraft outside of this weight limit will be required to obtain specific authorization from the FAA through either the section 333 exemption process or by obtaining a Certificate of Authorization for Public Aircraft Operations. Both of these options entail a lengthy and costly application process. Therefore, it is strongly recommended that operators select aircraft less than 55 pounds for operation under FAR Part 107.

b. **Airworthiness.** Under FAR Part 107, it is the RPIC’s responsibility to determine the airworthiness for UAS that weigh less than 55 pounds. However, the UAS Ethics and Safety Committee reserves the right to deny applicants seeking to operate UAS in connection with UW-related activities if the Committee deems the UAS not airworthy. The Committee may also request a demonstration flight and/or full airworthiness review prior to approving any application for UAS operations to be conducted for UW-related activities.

VIII. UAS Registration and Insurance.

a. **FAA registration.** All UAS owned by the University, operated on UW premises or in connection with UW activities must be registered with the FAA. UAS owned by the UW, whether purchased by, constructed by or donated to the UW, shall be registered under “The Board of Regents of the University of Wisconsin System” as a “Non-Model Aircraft” at the following website <https://registermyuas.faa.gov/>. UW units that purchase or otherwise own UAS shall maintain a copy of the registration certificate. Applicants will include the registration number in the application for UAS operations.

b. **Insurance for operations by UW personnel.** All UAS operated in connection with UW-related activities must be insured for liability and property damage coverage. UW-owned UAS will be covered by the State of Wisconsin’s Property and Liability Program, and the UW unit that owns the UAS is responsible for the costs of such insurance as determined the UW Office of Risk Management and the State Department of Administration.

c. **Insurance for operations by non-UW personnel.** Contract UAS operators are required to add “The Board of Regents of the University of Wisconsin System” as an additional insured on their UAS insurance policy and provide proof of liability insurance to the UW Office of Risk Management prior to engaging in UAS operations on UW premises or in connection with UW activities. The specific insurance requirements, including the amounts of insurance, are determined by the Office of Risk Management, and may vary depending on the nature of the proposed UAS operation.

IX. Data Management

Application forms, landowner/land manager permission forms, flight log data collected by UAS for each flight conducted on UW premises or for UW-related activities (including but not limited to records of the UAS’ latitude, longitude, altitude and other flight parameters

and telemetry data), and images and data collected during flights for research, educational, or other purposes must be stored securely and maintained according to standard University records retention schedules and be made available for inspection by the UAS Ethics and Safety Committee or external regulators upon request if deemed relevant to investigate an accident, incident, or complaint. Contract operators must agree to retain flight log data and any images collected during flights for at least three (3) years following operations and to grant reasonable access to such data to the UAS Ethics and Safety Committee as a condition of approval to conduct operations on UW premises or in connection with UW activities.

Appendix A: UW UAS-Operator Application

Please note that the questions below are asked solely for the purpose of determining the safety and legality of the flight.

UW APPLICANTS

1. Applicant Name
2. Applicant's University of Wisconsin Affiliation (i.e., Department, Center, etc.)
3. Remote Pilot in Command Affiliation (if RPIC is other than Applicant)
4. Copy of Remote Pilot Certificate or Pilot Certificate
5. Summarize UAS flight experience of RPIC
6. UAS Make and Model and FAA Registration Number
7. Area(s) of Operation: Address + Radius (mi) or Latitude/Longitude Coordinate + Radius (mi) or encompassing Latitude/Longitude points (rectangular plot)
8. Dates and Times of Intended Flights
9. What is the purpose of the flight(s)? For example, will the UAS be used for research, teaching, student activities or other purposes?
10. Is a waiver from any of the Part 107 regulations required for the planned operation? If so, why, and has the waiver been obtained?
11. Will the UAS be used to collect data? If so, what kind of data, and where will it be maintained?
12. Will the UAS be used to transport a payload? If so, what is the payload, and why is it being transported?
13. Please list the number of people and each operational role for each person who will be involved with each flight. Please include pilots, camera/sensor operators, people being filmed and support crew.
14. Will there be any non-participants in the operational area? If so, please explain.
15. Will the flights occur over or near any persons, animals or buildings?
16. Please describe the safety plan to prevent injuries to persons, animals or property.
17. Please describe the plan to mitigate any potential privacy concerns of non-participants.
18. Please describe your plan to obtain written property-owner permissions from anyone whose property will be occupied or overflowed during the flight.
19. Please describe the data-management plan for flight log data. Who will manage it, and where will it be maintained?
20. Please describe your accident and incident reporting procedures.

ADDITIONAL REQUIREMENTS FOR CONSULTANTS/CONTRACTORS OR NON-UW OPERATORS

1. Insurance Certificate on file with Risk Management.
2. Copy of Remote Pilot Certificate of RPIC.
3. Confirmation of purchasing contract for Consultant/Contract operator that contains Consultant/Contractor-specific requirements outlined in this policy (agreement to maintain flight records and provide copy of FAA accident reports)

and relevant UAS flight data upon request), and which requires Consultant/Contractor to affirm all flights will be conducted in full compliance with applicable FAA regulations and state and local law.

Appendix B Planning, Design or Construction Contractor Request for Authorization to Operate UAS on UW Lands

Consultant/Architect, Engineer, or Contractor

Name: _____

UW Project Name/Description: _____

UW FP&M Project Manager: _____

Name and Company of RPIC (if not from AEC above): _____

UAS Make, Model: _____

UAS FAA Registration Number: _____

Area(s) of Operation: Address + Radius (mi) or Latitude/Longitude Coordinate + Radius (mi) or encompassing Latitude/Longitude points (rectangular plot): _____

Dates and Times of Intended Flights: _____

Purpose of the flight(s): _____

As a condition of receiving authorization to operate a UAS on/over University lands as described above, [*name of consultant/contractor*] ("Contractor") hereby agrees to the following:

1. Contractor agrees that any photos or images of UW premises and buildings taken by the UAS will not be used for marketing or promotional purposes without separate written permission of University.
2. Contractor agrees to maintain flight records of all UAS flights authorized hereunder, and to provide UW with a copy of any FAA accident reports and relevant UAS flight data upon request.
3. Contractor affirms that all flights will be conducted in full compliance with applicable FAA regulations and state and local law.
4. Contractor agrees to indemnify the UW from any damage or liability arising from the UAS operations.

Name of Authorized Contractor Signatory (print name)

Date

Signature

Please enclose the following with this Request form:

1. Copy of Remote Pilot Certificate for RPIC
2. Copy of Insurance Certificate covering UAS operations
3. Safety plan to prevent injuries to persons, animals or property
4. UAS accident and incident reporting procedures.

UW Approvals FP&M _____ Unit _____ UWPD Notification _____
--

Appendix C: Property Owner Permissions Form

[Name of Property Owner]

[Address of Property]

Dear [Property Owner],

This is a request for permission for the University of Wisconsin-Madison (UW) to use Unmanned Aircraft Systems (UAS) over your property for the purpose of [provide brief description of purpose of flight] on [dates and times of anticipated flights]. In connection with flying the UAS, the person operating the UAS and other individuals participating in the UAS flight request permission to enter your property to facilitate the safe operation of the UAS, subject to any limits or conditions you feel are appropriate.

The UAS operator may want to use the UAS to take images or collect data for research or educational purposes. Your signature at the bottom of this form grants the participating individuals access to your property and encompassing airspace for those purposes. The UW commits that this operation will be conducted in full compliance with federal, state and local laws and regulations, and the UW is insured against damages to persons or property arising from the flight in the unlikely event they occur.

Thank you for your consideration.

[Name and UW affiliation of person submitting request] _____

[UW E-mail and phone number] _____

Authorization to Conduct UAS Operations

By signing my name below, I hereby authorize the University of Wisconsin – Madison (UW) and its faculty, staff, students and affiliates to conduct UAS flights over my property for the purpose and at the dates and times indicated above, and grant the UW all necessary rights to use the information collected during the flight for non-commercial research, education and/or outreach purposes.

Name: _____

Address: _____

Signature: _____

Date: _____ / _____ / _____

Special conditions for use of property (if any): _____

Appendix D: UAS Accident/Incident Report

1. Pilot Name & Contact Information (street address, city, state, zip, e-mail & phone)

2. Pilot Affiliation _____
3. Copy of approved UW UAS Operator Application Form or UW-assigned Flight Number.
4. Location of Accident/Incident: Address, Landmark or Latitude/Longitude

5. Date and Time of Accident/Incident _____
6. Accident Scene Photos/Diagram (attach document or images if applicable)
7. What was the purpose of the flight? _____
8. Please explain what happened. _____

9. Please provide names of others involved as well as witnesses.

10. Please describe safety precautions that were taken prior to the flight.

11. Please describe any privacy concerns and measures that were taken to mitigate privacy issues (if applicable). _____

12. Please be prepared to provide the flight records and any additional imagery data that were collected for this flight if requested by the UAS Ethics and Safety Committee.