

## Amherst College

# Unmanned Aerial Systems (“Drones”) & Model Aircraft Policy

### Policy Statement

The operation of Unmanned Aircraft Systems (“UAS,” commonly referred to as “drones”) and Model Aircrafts is regulated by the Federal Aviation Administration (“FAA”) as well as relevant state laws and local ordinances. This policy sets forth the rules applicable to the operation of UAS and Model Aircraft on Amherst College property and by those acting on behalf of Amherst College.

### Applicability

This policy applies to: 1) anyone operating a UAS or Model Aircraft on or above Amherst College Property; and 2) any student, faculty member, or staff member operating a UAS or Model Aircraft on or above any non-Amherst College property while on college business.

## DEFINITIONS

**Amherst College Property** – Buildings, grounds, and land that are owned by Amherst College or controlled by Amherst College via leases or other formal contractual arrangements to house ongoing college operations.

**College Business** – For purposes of this policy, college business includes the operation of UAS or Model Aircrafts necessitated as part of: 1) a student, faculty, or staff member’s employment at Amherst College; or 2) college-sponsored or -affiliated activities.

**Unmanned Aircraft Systems (“UAS”)** – According to the FAA, a UAS is the unmanned aircraft and all of the associated support equipment, control station, data links, telemetry, communications, and navigation equipment necessary to operate the unmanned aircraft. Unmanned aircraft include quadcopters, multirotor, helicopters, drones, and fixed-wing models if these aircraft are used for any purpose other than recreation. (If used for recreation, this equipment is called a “model aircraft,” see below for more information.) FAA regulations apply to UAS regardless of size or weight; however, unmanned aircraft weighing less than 250 grams are not required to be registered with the FAA. Model aircraft and rocks, balloons, kites, and gliders that are not “capable of sustained flight in the air” are not regulated as unmanned aircraft; however, other FAA regulations may apply.

**Model Aircraft** – Model aircraft are defined by the FAA as remotely-piloted aircraft weighing less than 55 pounds and operated solely for “recreation.” In the case of student use of Model Aircraft, the FAA has clarified that “recreation” includes use for coursework, research projects,

and contests – **provided that** faculty involvement is only incidental. If faculty involvement is more than incidental, the operation of the remotely-piloted aircraft is not “solely for recreation” and it is thus considered a UAS.

## **POLICY**

The operation of Unmanned Aircraft Systems (“UAS,” commonly referred to as “drones”) and Model Aircrafts is regulated by the Federal Aviation Administration (“FAA”) as well as relevant state laws and local ordinances.

Because the risks associated with UAS and Model Aircraft operations generally increase with aircraft weight and with proximity to congested areas, some UAS and Model Aircraft operations may require additional safety measures, policy considerations, and insurance provision – or, in more extreme cases, may be conducted only by third parties with suitable qualifications, equipment, and insurance.

All operation of UAS or Model Aircraft either: 1) on or above Amherst College property; or 2) on or above non-Amherst College property in connection with college business must meet the following rules and conditions:

1. The operator is personally responsible for complying with this policy and all applicable federal, state, and local laws, ordinances, and regulations, including, but not limited to, the FAA Small Unmanned Aircraft Rule ([https://www.faa.gov/uas/media/Part\\_107\\_Summary.pdf](https://www.faa.gov/uas/media/Part_107_Summary.pdf)). In addition, operators of Model Aircraft must follow safety guidelines from the Academy of Model Aeronautics or equivalent FAA-recognized Community-Based Organization.
2. UAS and Model Aircraft used for research or other educational use must be less than 55 lbs. as regulated by the FAA.
3. UAS and Model Aircraft used for any purpose other than research or education must be less than 10 lbs. as required by the terms of Amherst College’s insurance.
4. Anyone who intends to operate a UAS or Model Aircraft on or above Amherst College property or on Amherst College business must first receive written permission from the Chief of Police and Director of Public Safety or designee.
5. In order to be granted permission to operate a drone on or above Amherst College property, the operator must provide evidence of a Remote Pilot’s License.
  - a. If the UAS weighs more than 250 grams, the operator must also provide evidence of registration per FAA requirements.

- b. If the operation of the UAS or model aircraft does not constitute college business, the operator must provide proof of liability insurance of no less than one million dollars (\$1M) for UAS operations. (Note: Individuals can purchase coverage through the Academy of Model Aeronautics at <http://www.modelaircraft.org/>).
6. Operators must carry written evidence of permission at all times while operating UAS or Model Aircraft.

Operators must take all reasonable precautions to avoid areas normally considered to be private. An operator of a UAS or Model Aircraft should take care to avoid entering onto, overflying, surveying, or creating a nuisance on or above any other private property except with written permission from the landowner.

## **PROCEDURES**

### **Request for Permission**

A request for permission to operate a UAS or Model Aircraft on or above Amherst College property or on Amherst College business must be submitted at least fourteen (14) days prior to the intended operation of the UAS or Model Aircraft, absent exigent circumstances.

Requests by Amherst College students, faculty, or staff for research or other educational purposes will generally be approved unless they would not comply with this policy or applicable law, or would create a unique risk.

The Chief of Police and Director of Public Safety may deny any operator the authority to operate a UAS or Model Aircraft on or above Amherst College property or on college business.

### **Appeals**

The denial of any request by a student, faculty, or staff member to operate a UAS or Model Aircraft for research or educational purposes may be appealed to the Dean of the Faculty. The decision of the Dean of the Faculty shall be final.

In all other instances, the decision of the Chief of Police and Director of Public Safety shall be final and may not be appealed.

## **VIOLATIONS**

Any violation of this policy by a student, faculty, or staff member will be handled in accordance with the applicable policies and procedures of Amherst College.

Any third party operating a UAS or Model Aircraft on Amherst College property in violation of this policy may be trespassed and removed from campus. The college may pursue criminal or other legal action against any such third party.

Any fines incurred by a UAS or Model Aircraft operator under applicable federal, state, or local laws, ordinances, or regulations are the sole responsibility of the operator and will not be paid by Amherst College, unless such use occurs within the scope of the operator's employment at the college.