



G.O. Number: 18.15	Subject: Unmanned Aircraft System (UAS)	
Chapter: 18 Unmanned Aircraft System (UAS)/ Drone	Number of Pages: 13	
CFA Standard(s): 32.03M	Effective: 03/15/2020	
By Order of Chief of Police : Rene G. Landa Chief of Police		Revised: 09/08/2021 Status: New

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POLICY: It is the policy of the South Miami Police Department to utilize Unmanned Aircraft System (UAS) to assist Law Enforcement operations related to qualified calls for service or operations. Only personnel who meet the necessary Federal Aviation Administration (FAA) qualifications may operate Unmanned Aircraft Systems as a Pilot in Command (PIC). UAS will be used in accordance with state and federal laws and regulations.

PURPOSE: The purpose of this policy is to establish guidelines for the safe operation of Unmanned Aircraft Systems (UAS) by qualified personnel. It is intended to promote safe, efficient and lawful operation by the South Miami Police Department.

SCOPE: This General Order applies to all Departmental personnel.

18.15.1

DEFINITIONS:

- A. **AIR TRAFFIC CONTROL (ATC)** – A service operated by appropriate authority to promote the safe, orderly and expeditious flow of air traffic.
- B. **CREW RESOURCE MANAGEMENT (CRM)** – The effective use of all available resources for flight personnel to assure a safe and efficient operation, reducing error, avoiding stress and increasing efficiency.
- C. **DAYLIGHT FLIGHT** - Flight of a UAS that occurs one half-hour before sunrise and one half-hour after sunset. The time of sunset and sunrise are determined by the National Oceanic and Atmospheric Administration (NOAA).
- D. **DEFINED INCIDENT PERIMETER** – A perimeter to be determined based on the scope of the operation and a defined operational ceiling at or below 400 feet Above Ground Level (AGL).
- E. **EXIGENT CIRCUMSTANCES** – Those circumstances that would cause a reasonable person to believe a particular action is necessary to prevent imminent physical harm to an individual, the destruction of relevant evidence, or the escape of a suspect.
- F. **FEDERAL AVIATION ADMINISTRATION (FAA)** - The division of the United States Department of Transportation that is a national authority with powers to regulate all aspects of civil aviation.
- G. **FLIGHT STANDARDS DISTRICT OFFICE (FSDO)** – A locally affiliated field office of the United States Federal Aviation Administration (FAA).
- H. **NATIONAL AIRSPACE SYSTEM (NAS)** – The common network of U.S. airspace air navigation facilities, equipment and services; airports or landing areas, aeronautical charts, information and services rules, regulations and procedures; technical information; manpower and material.
- I. **PART 107** - The portion of Title 14 Code of Federal Regulations (CFR) that allows the operation of unmanned aircraft systems (UAS) in the National Airspace System (NAS) for purposes other than hobby and recreation. The rules are specified in 14 CFR Part 107 and address UAS classification, certification and operating rules.
- J. **REMOTE IDENTIFICATION** - The ability of a UAS in flight to provide identification and location information that can be received by other parties.

- K. **PROGRAM COORDINATOR (PC)** - The PC is the individual responsible for creating the UAS program which includes administrative duties such as maintaining a current list of all certified crew members to include Pilots and Observers. The PC or designee is responsible for maintaining the training records for crew members. The PC is also responsible for the condition, maintenance and flight records of the UAS and its associated equipment. The Program Coordinator will be selected by the Chief of Police or designee.

- L. **REMOTE PILOT IN COMMAND (RPIC)** – The individual exercising control over the UAS during flight who either holds a current or temporary Drone Operator’s Certificate issued by the FAA (Part 107 License). He/She has final authority and responsibility for the operation and safety of the UAS flight operation.

- M. **UNMANNED AIRCRAFT SYSTEM (UAS)** - An aircraft without a human pilot on board. Its flight is controlled by remote control by a pilot on the ground or in another vehicle.

- N. **VISUAL FLIGHT RULES (VFR)** – A set of regulations under which a pilot operates an aircraft in weather conditions generally clear enough to allow the pilot to see where the aircraft is going. VFR for the purpose of UAS use in the South Miami Area of Operations (AO) will be (3) statute miles visibility and a cloud ceiling of 1000 feet for day operations.

- O. **VISUAL LINE-OF-SIGHT (VLOS)** - The RPIC or Visual Observer (VO) shall be able to see the Unmanned Aircraft without the aid of binoculars or other device besides corrective eyeglasses or contact lenses.

- P. **VISUAL OBSERVER (VO)** – The individual trained to maintain the line-of sight and 360-degree hazard awareness around the UAS at all times and assist the Pilot in carrying out all duties required for the safe operation of the UAS.

18.15.2

MEMBERS; ASSIGNMENT AND MANAGEMENT, PRE-FLIGHT BRIEFING

I. MEMBER RESPONSIBILITY [CFA 32.03(A)]:

This program was created to enhance the availability and affordability of air support for public safety uses. All Remote Pilots shall be certified under FAA Code of Federal Regulation (CFR) 14 Part 107 and trained in accordance with departmental internal training procedures.

II. ASSIGNMENT: AUTHORIZED PERSONNEL

A. UAS PROGRAM COORDINATOR

1. The UAS Program Coordinator (PC) will report to the Operations Bureau and will be responsible for ensuring compliance as outlined in the SMPD General Orders Manual. The UAS Program Coordinator or designee will also serve as liaison with the FAA regarding any Federal Aviation Regulations (FARS)
2. Duties and Responsibilities
 - a. Ensuring all necessary training is conducted.
 - b. Performing inspections on a routine basis to ensure compliance with UAS policies.
 - c. Communicating with the FAA and local FSDO. Ensuring prompt reporting, filing and follow up action on accident reports to the appropriate agencies.
 - d. Ensuring all flight operations are conducted safely and in compliance with all FARs and this policy.
 - e. Verifying that all Remote Pilots maintain current qualifications.
 - f. Ensuring that any new members are properly trained and meet all qualifications.
 - g. Ensuring that the Department has been granted a COA or COW by the FAA for all flight operations.

B. REMOTE PILOT IN COMMAND (RPIC)

1. The Remote Pilot in Command (RPIC) will report to the PC and will be responsible for ensuring compliance as outlined in the SMPD General Orders Manual.
2. Duties and Responsibilities
 - a. The RPIC will report any UAS/flight related issues to the UAS PC.

- b. All RPIC's will have a valid FAA Part 107 UAS Pilot's Certificate. They will be trained on the UAS model to be used. They will have in their possession a valid Remote Pilot Certificate and driver's license.
- c. The RPIC will conduct proper Crew Resource Management (CRM) during all operations.
- d. On all missions RPIC's will obtain information regarding purpose, operational requirements, special instructions and procedures. They will determine the applicability of UAS deployment as it relates to CFR 14 Part 107, F.S.S. 934.50 and any waivers in use by the Agency. Factors to be considered will at a minimum include the following:
 - (a) Altitude
 - (b) Terrain
 - (c) Weather
 - (d) Range
- e. Scene safety and consideration of other resources for completing the Airborne mission.
- f. The RPIC will ascertain that the UAS is airworthy and safe for use in accordance with issued checklists and manufacturer specifications.
- g. The RPIC is responsible for operating the UAS in accordance with applicable FARs, waivers, policy, and F.S.S. 934.50.
- h. The RPIC is responsible for the safety and security of the UAS, other Aircraft located in the area, and nearby ground personnel/civilians and property. It is the responsibility of the RPIC to ensure that a proper pre-flight has been conducted on the UAS prior to launch. All pre-flight checks will be conducted in accordance with issued checklist.
- i. The RPIC will ensure that all involved personnel have been properly briefed.

- j. RPICs must be knowledgeable of this policy, FAA Regulations, F.S.S.934.50 and other instructions pertinent to their duties.
- k. The RPIC has final authority in determining whether a UAS deployment will or will not be conducted after considering all pertinent factors. The RPIC has the responsibility for the safe, efficient and professional conduct of his/her flight assignment. The RPIC will have command over the UAS and the entirety of its operation. They are expected to use sound judgments and advocate CRM.
- l. The RPIC is responsible for notifying the UAS PC of any damages, injuries or technical issues resulting from the operation of the UAS.

C. VISUAL OBSERVER (VO)

- 1. Visual Observer (VO) can be any person that has been briefed and understands the requirements of the visual observer position and the responsibilities it entails. A VO shall be designated by the RPIC prior to all SMPD approved UAS operations. The VO will assist the RPIC during operations and work under the direct supervision of the RPIC. The VO will receive training on their duties and responsibilities prior to the operation.
- 2. Duties and Responsibilities
 - a. The VO will receive training on their obligation to locate other aircraft present in the operation area and to identify the position of the aircraft for the purpose of relaying position reports to the pilot.
 - b. The VO will assist RPIC as necessary and as dictated by the RPIC.
 - c. The VO will assist the RPIC in maintaining Visual Line of Sight (VLOS) of the in-flight UAS.
 - d. The VO will alert the RPIC of any observed manned aircraft in the area.
 - e. The VO will aid the RPIC by being alert to conditions which could create hazards to flight safety.

D. MANAGEMENT: PRE-FLIGHT BRIEFING PROCEDURES

1. Review of the mission's goals and expected outcomes.
2. Review of current and forecasted weather conditions.
3. Identification of mission limitations and safety issues such as batter charge, GPS strength and potential for radio interference.
4. Review of proposed flight area, including maximum ceiling and floor.
5. Review of communication procedures between RPIC, Visual Observer and other personnel used to support the mission. Verifying phone numbers and radio frequencies used to communicate with Air Traffic Control (ATC) in the event of a fly-away or other flight emergency.
6. Review of emergency/contingency procedures including aircraft system failure, flight termination, divert and lost link procedures.
7. Review of required video or digital images.
8. Execution of a Pre-flight check utilizing the approved checklist.
9. All flights with the UAS shall be conducted under VFR conditions and at an altitude below 400 feet above ground level (AGL). VFR for the UAS use in South Miami Area of Operations (AO) will be 3 statute miles visibility and a cloud ceiling of 1000 feet for day or night operations.

18.15.3

UAS AVAILABILITY AND STORAGE:

- A. The availability, control and authorized conditions for the use of the UAS equipment shall be determined by the assigned Remote Pilot in Command (RPIC).
- B. When a request is received, it is the responsibility of the RPIC to determine if the conditions are in adherence with FAA requirements.
- C. The use of a UAS will be restricted to personnel who have completed the requisite training. ONLY certified personnel who have been specifically identified as a Remote Pilot in Command (RPIC) under the SMPD UAS program is permitted to operate UASs for official SMPD purposes.

- D. Storage of UAS will be mandated by the use of each unit, but the Program Coordinator or his/her designee will oversee the storage of all UAS units.
- E. UAS must be properly registered with the Federal Aviation Administration (FAA).
- F. UAS must be clearly marked advising that it belongs to SMPD.
- G. Personnel authorized to operate UAS will be determined by the Program Coordinator.

18.15.4

PROHIBITED USES, ACTIONS AND RESTRICTIONS [CFA 32.03(F)]:

- A. SMPD Unmanned Aircraft System (UAS) shall not be used for personal business of any type.
- B. SMPD UAS will not be used for any operation that contradicts manufacturer's recommendations/instructions for the UAS being operated.
- C. SMPD UAS will not be used in any operation that conflicts with any Florida State Statute and/or FAA rules and regulations.
- D. SMPD UAS will not be used in any operation that conflicts with the South Miami Police Department General Orders.
- E. No SMPD employee will utilize a personally owned or any other non SMPD owned UAS in the performance of his/her duties
- F. No supplemental equipment will be attached to any UAS without permission from the UAS PC.
- G. SMPD UAS will not be used to harass or intimidate any individual or group.
- H. SMPD UAS shall not be weaponized.

18.15.5

TRAINING [CFA 32.03(B)]:

- A. Remote Pilot in Command (RPIC) of small UAS are considered “Pilots” by the FAA.
- B. Pilots are required to have and maintain the following:
 - 1. Either a current FAA issued Private Pilot’s License and a minimum of a class III Medical with a small UAS rating or an FAA issued small UAS Certificate (Part 107).
 - 2. All Remote Pilots shall maintain a current FAA Part 107.
 - 3. All training, testing and maintenance programs will fall under the oversight of the Program Coordinator.
- C. All maintenance logbooks will be completed and maintained by the Program Coordinator or his/her designee and will be subject to review.
- D. All records of training and attendance will be forwarded to the Training Unit.
- E. A list of qualified users will be maintained by the UAS Program Coordinator.

18.15.6

DEPLOYMENT CRITERIA [CFA 32.03(D)] [CFA 32.03(C)]:

- A. All missions will be flown in accordance with FAA regulations 14 CFR Part 107, current FAA National Policy regarding UAS Operational Approval and this General Order.
- B. UAS equipment will be deployed under specific criteria in compliance with F.S.S. 934.50 or governing laws that outline search and seizure usage by UAS equipment.
- C. Current law establishes that UAS may only be deployed under the following circumstances:
 - 1. Upon a lawfully executed Search Warrant signed by a Judge specifically authorizing the use of a UAS. See G.O. 32.3.2 for posted guidelines and criteria’s.

2. To counter a high-risk terrorist attack by a specific individual or organization if the United States Secretary of Homeland Security determines that credible intelligence indicates there is such a risk.
3. With reasonable suspicion that under circumstances swift action is needed to prevent imminent danger to life or serious damage to property.
4. With reasonable suspicion that under particular circumstances action is needed to forestall the imminent escape of a suspect or the destruction of evidence.
5. To achieve other purposes including, but not limited to, facilitating the search for a missing person.
6. Privacy considerations – SMPD personnel will not record or transmit images utilizing a UAS of property or persons where reasonable expectation of privacy exists unless the exceptions defined in 934.50(4) are met. [32.03M(C)]
7. UAS operations will always be conducted by two personnel unless exigent circumstances dictate that it is necessary to fly a mission with only the pilot. One officer will act as the RPIC; the second person will act as the VO. Responsibility for the safe operation of the aircraft will ultimately be on or with the Remote Pilot in Command (RPIC).
8. UAS may be used for SMPD training and non-evidentiary, non-criminal law uses as authorized by the Chief of Police or designee. If the UAS is being utilized for such purpose, its purpose will be included in the Operations Plan for the scheduled event.

18.15.7

OPERATION:

- A. The UAS will weigh less than 55 pounds unless exceptions are granted by the FAA.
- B. The UAS must remain close enough to the Pilot or VO so that one of them is capable of seeing the UAS with vision unaided by any device other than corrective lenses unless a waiver has been secured.

- C. The UAS may not be intentionally operated by anyone not directly involved in the operation.
- D. The UAS will be flown during daylight operations only unless properly equipped for night operations and a COA has been obtained from the FAA.
- E. The UAS will yield the right of way to other aircraft manned or unmanned.
- F. All SMPD UAS operations will involve the use of a VO unless an FAA waiver has been approved.
- G. The UAS operator will follow "See and avoid" procedures as outlined by the FAA.
- H. The UAS will not exceed the maximum altitude as permitted by the FAA.
- I. The UAS will be allowed to fly in Class B, C, D and E airspace with appropriate ATC clearances.
- J. Operations in class G airspace will be allowed without ATC permission.
- K. Both RPIC and VO must participate in the preflight briefing.
- L. For sustained flights over an open air-assembly (sports game, concert, community festival, etc.) The UAS must not have any rotors exposed that can cause lacerations to a person. Propeller guards will be utilized.
- M. Safety equipment such as a parachute shall be utilized while in flight, that would be large enough to decrease the UAS's velocity so that it would not cause injury to a human being in case of catastrophic failure.

18.15.8

ACCIDENT REPORTING, DOCUMENTATION AND MAINTANCE

I. ACCIDENT/ INCIDENT REPORTING:

- A. An information Offense/ Incident report shall be documented detailing any accident, crash, or incident involving an SMPD UAS. Photographs of damaged property shall be attached to the report and will be completed prior to shift transfer.
- B. In addition, all in flight accidents and incidents involving fatalities, injuries that require hospitalization, property damage in excess of \$500.00 or a flyaway shall

be reported to the PC. FAA regulations require the FAA to be notified within 10 days.

- C. Shift supervisor will also complete a staff notification report prior to shift transfer.

II. DOCUMENTATION:

- A. All UAS training and mission flights will be documented by completing a Mission/Training form within 24 hours of training/mission completion and a digital copy will be forwarded to the PC.

III. MAINTENANCE:

- A. The UAS will always be maintained in a safe operating condition as per the manufacture's guidelines and procedures.
- B. Prior to each flight, the UAS will undergo a pre-flight inspection by a certified operator with a current certificate designated for that type of aircraft and with relevant knowledge of that aircraft's operating systems.
- C. If the UAS is determined not to be flight operational, it will not be allowed to be utilized.
- D. The certified operator will complete the UAS Maintenance Log and email a copy to the PC prior to shift transfer.

18.15.9

EVIDENCE, RETENTION AND DISSEMINATION

II. EVIDENCE:

- A. Any evidence collected in the form of physical samples, video and audio or other evidence which may meet the UAS will be deemed to have been collected by the RPIC of the UAS. The RPIC will responsible for properly documenting and preserving the evidence in accordance with the applicable Departmental General Order(s) and State law.

III. RETENTION AND DISSEMINATION [CFA 32.03(E)]:

- A. All video recordings collected using a UAS are official records and exclusive property of the City of South Miami.
- B. The UAS images and recordings will be uploaded into Evidence.com prior to the end of the member's shift.
- C. UAS recordings shall be maintained in accordance with Florida Statutes and the State of Florida General Records Retention Schedules.
- D. Recordings collected by UAS may be a public record as defined by Florida Statutes and Federal Laws. The applicable Florida Statutes and Federal Laws will govern the handling of all public records request.

18.15.10

MUTUAL AID:

- A. The South Miami Police Department may, in accordance with the terms of existing Mutual Aid Agreements, allow authorized Department UAS operators to provide UAS related assistance to other agencies who have Mutual Aid Agreements with the South Miami Police Department.
- B. If pursuant to a Mutual Aid Agreement, an agency requests a Deployment of the Department's UAS, the Chief of Police or designee shall make the determination whether deployment of a UAS is warranted. If the deployment is approved, the authorized UAS operator shall, consistent with the requirements of the following items: In accordance to State and Federal Law, Mutual Aid Agreement and UAS General Order, make arrangements for the transport of the UAS equipment to the requested location. The Department's authorized UAS operator shall be briefed on the mission and shall communicate to the onsite agency supervisor the capabilities, limitations, and restrictions associated with the operation of the UAS.