

INTRODUCTION

It is the purpose of this brochure to provide current reference information regarding Federal and State regulations and NSHE policies and procedures for the use of Unmanned Aircraft Systems in an academic setting.

Readers are encouraged to acquaint themselves with the laws and policies to ensure compliance.

DEFINITIONS

An Unmanned Aircraft System (UAS) and for the purpose of this brochure also includes Unmanned Aerial System, Unmanned Aerial Vehicle or Drones is defined as an aerial vehicle that can be operated without having a pilot located inside the aircraft. UAS will be used through this brochure.

GOVERNING AUTHORITY

The Federal Aviation Administration (FAA) is the governing authority for the operation of UAS. The FAA has implemented rules and regulations that must be abided by each UAS operator.

NEVADA SYSTEM OF HIGHER EDUCATION

Policy Title 4, Chapter 1, Section 34 Unmanned Aircraft Systems

NSHE Institutions should become familiar with the complete policy prior to use. The policy is comprised of three sections; *General*, *Procedures* and *Sanctions*.

GENERAL POLICY:

The Board of Regents and the Nevada System of Higher Education (NSHE) are committed to the appropriate and safe use of unmanned aircraft systems (UAS) to further academic and research objectives.

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(NSHE Policy continued,)

PROCEDURES:

- ◆ NSHE Institutions must be in compliance of all applicable Federal, State laws, regulations and rules.
- ◆ NSHE Institutions, staff and students using UAS as part of an NSHE program must first obtain Section 333 Exception, Certificate of Waiver or provided access through Nevada UAS Test Site authority.
- ◆ Contact Risk Management to confirm insurance coverage for the operation of UAS.
- ◆ Operators must take all reasonable measures to protect the safety of the general public and to avoid violating the privacy rights of the general public.
- ◆ Each institution shall establish policies and procedures governing the use of UAS.
- ◆ Any third party wishing to use a UAS over NSHE property must first receive approval through the president or designee of the institution.
- ◆ Any faculty, staff or students operating UAS for hobby or recreational purposes on NSHE property must abide by the FAA safety guidelines for Model Aircraft Operations.

SANCTIONS:

- ◆ Any violations of policy will be dealt with in accordance with applicable Board and institutional policies and procedures.
- ◆ Legal action may also be pursued against third parties that operate UAS in violation of this policy.
- ◆ Fines or damages incurred by individuals, institutional departments or units that do not comply with this policy will not be paid by NSHE and will be the responsibility of those persons involved.



Guidelines for Unmanned Aerial Systems



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Operating Rules

When attempting to utilize a UAS, the operator must ensure that:

- ◆ The UAV remains within the driver's line of sight.
- ◆ Operates during daylight hours only.
- ◆ Flies at speeds no greater than 100 mph and under 400 feet to remain within what is called class G airspace.
- ◆ Yields to manned aircrafts, does not fly over individuals or is operated from a moving vehicle.
- ◆ It should be noted that the rules in this section are subject to waivers in certain cases.

Aircraft Requirements

In order to satisfy minimum federal safety requirements, a UAS must:

- ◆ Be registered if it exceeds 0.55 pounds.
- ◆ Weigh less than 55 pounds.
- ◆ Undergo a pre-flight check prior to every operation to ensure it is in adequate condition to be operated safely.



FEDERAL REGULATIONS 14, PART 107

As per federal requirements, it should be noted that UAVs are subject to regulations that fall into three (3) distinct categories when used commercially:

- ◆ Pilot Requirements.
- ◆ Operating Rules.
- ◆ Aircraft Requirements.

Pilot Requirements

Any individual who operates a UAS must fulfill the following conditions:

- ◆ Be 16 years of age or older.
- ◆ Possess a Remote Pilot Airman Certificate.
- ◆ Must pass a TSA background check.

Additional Rules

According to Nevada State Regulations, it is illegal to install weaponry on UAVs, regardless of the intended purpose.

It is also illegal for a driver to use a UAV if he is found to have exceeded the legal limit of alcohol allowed when operating a vehicle.

STATE REGULATIONS:

NRS 493.109

A UAV cannot be operated within five (5) miles of an airport unless the operator has obtained a waiver to do so or has received permission from airport authorities.

Furthermore, a UAV cannot be operated within a horizontal distance of 500 feet or a vertical distance of 250 feet from a critical facility without the written consent of the owner of the critical facility.

NRS 493.115

As per the Nevada Revised Statute (NRS) 493.115, a public agency:

Must register its UAS prior to use.

Cannot assist law enforcement or conduct investigations with the use of a UAV.

Cannot utilize any information obtained through the operation of a UAV in order to prosecute an individual.

NRS 396.970

Surreptitious use of electronic surveillance on campus / exceptions.

It is unlawful for a person to engage in any kind of surreptitious electronic surveillance on a campus of the System without the knowledge of the person being observed.

Exceptions: 1) Authorized by a court, 2) By a law enforcement agency pursuant to a criminal investigation, 3) By a peace officer pursuant to [NRS 289.830](#), 4) Which is necessary as part of a system of security used to protect and ensure the safety of persons on the campus, 5) Or of a class or laboratory when authorized by the teacher of the class or laboratory.