

PUBLIC SAFETY

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PUBLIC SAFETY TECHNOLOGY: UNMANNED AIRCRAFT SYSTEMS (UAS)

Business Nexus

The use of Unmanned Aircraft Systems (UAS) is proving to be a very effective tool for public safety as a means of de-escalation, protecting public and officer safety. The ability to modify Federal Aviation Administration regulations to better enforce the uses of civilian UAS will assist public safety operators in keeping our residents and businesses safe and thriving.

Requested Action

- Request that non-federal public safety agencies be given the lawful authority to contact and detain operators and pilots for violations of CFR14 Part 107. The FAA has jurisdiction over the National Airspace and current state and local agencies are unable to enforce violations of this section.
- Request that local public safety agencies be allowed to conduct training flights under their existing Certificate of Authority (COA).

Brief Background

The use of Unmanned Aircraft Systems (UAS) by hobbyists, the business sector and public safety is growing exponentially across our country. There are currently over 1.5 million UAS registered with the Federal Aviation Administration (FAA). In addition to being a great recreational activity for hobbyists, the use of this technology increases employee effectiveness and safety. While this rapidly evolving technology is the gateway to the future, it also provides some unique new challenges for public safety.

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On April 21, 2021, the FAA implemented the Operations Over People rule which permits Part 107 pilots to “fly at night, over people and moving vehicles without a waiver as long as they meet the requirements defined in the rule.” Public Safety is in full support of this incremental change and the Public Safety team would like to acknowledge the efforts of our federal partners on this important public safety item.

However, additional changes are needed to fully utilize and expand upon the use of UAS technology for public safety operations.

Title 14 of the Code of Federal Regulations, Part 107 regulates UAS flight, however it is non-criminal and does allow for regulatory enforcement by state or local law enforcement. Part 107 regulations include the maximum UAS weight, conditions of flight, maximum speed and an operational ceiling of 400’ above ground level (AGL). The Federal Aviation administration has the ability to take administrative and/or civil action for violations of Part 107, however this limits the ability for early intervention by state or local law enforcement in the case of a negligent or even nefarious operators. The remedy to this is to allow state and local government the ability to take regulatory action in the form of state law or local ordinance over UAS operating within the National Airspace and below 400’ AGL.

Finally, while public safety agencies are able to acquire a Certificate of Authority (COA) because the UAS is considered a public use aircraft, agencies cannot conduct training flights under a COA. Agencies would be able to provide operators with real time training and thereby increasing the skills of Part 107 pilots exponentially should training flights be allowed under a COA.