



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, mitigating disasters and wildfires, protecting the public, and officer safety. The ability to modify Federal Aviation Administration regulations to better enforce the uses of civilian UAS at the local level 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 the Code of Federal Regulations (CFR) 14 Part 107. The Federal Aviation Administration (FAA) has jurisdiction over the National Airspace and current state and local agencies are unable to enforce violations of this section.

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, an additional change is needed to assure the safe and lawful operation of UAS in our communities.

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 FAA has the sole ability to take administrative and/or civil action for violations of Part 107, which limits the ability for early intervention by state or local law enforcement in the case of a negligent or even nefarious operator. The remedy to this is to provide authority to state and local government to take regulatory action in the form of state law or local ordinance over UAS operating within the National Airspace and below 400’ AGL.

This change would assist in local law enforcement being able to control airspace during emergencies leading to safer and more efficient deployment of resources.