

- h. **Public Operations:** Include those aircraft owned and operated by government or public entities for governmental purposes and which are not operated under Part 107.
- i. **Section 333 Exemption:** FAA Exemption from certain approval requirements based on Section 333 of the FAA Modernization and Reform Act of 2012 and any amendments thereto, which grants the Secretary of Transportation the authority to determine whether an airworthiness certificate is required for a UAS to operate safely in the National Airspace System.
- j. **Unmanned Aircraft Systems (“UAS”):** Unmanned aircraft and their associated elements (including communication links and the components that control the unmanned aircraft) that are required for the pilot in command to safely and efficiently operate. ^{17,946} (h)10.9 (2)-1.7 (t)-4.7 (h)10.9 (e)-1.6

successor office, determines that a COA or Section 333 exemption is necessary and appropriate.

- ii. Prior to granting approval for any Institutional UAS Use, the Division of Research and Economic Development, or successor office, must: (1) ensure the UAS operation is authorized under Part 107, a Section 333 exemption, or a COA; (2) ensure that adequate insurance coverage is obtained (the default coverage limit shall be \$1,000,000 minimum coverage per occurrence, unless agreed by University Finance and Business in writing); (3) ensure each person controlling the UAS has received the requisite training, certification, or licensure; and (4)

- v. A COA is granted to the University and not to a specific individual. Data acquired through the use of the UAS belongs to the University and not to an individual.
 - vi. Due to the potential legal and risk management issues involved in managing a COA, the Division of Research and Economic Development, or successor office, must conduct due diligence, considering the need, any available alternatives and the pros and cons associated therewith, prior to seeking a COA.
- h. Institutional UAS Use Pursuant to a Section 333 Exemption
- i. If the University wishes to engage in civil operations that are not permissible under Part 107, and no waiver of the Part 107 regulation(s) preventing such operations is possible or the waiver has been rejected by the FAA, it must pursue a Section 333 exemption.
 - ii. The Division of Research and Economic Development, or successor office, is responsible for determining if Institutional UAS Use conducted outside of Part 107 is necessary and appropriate, and if so, for pursuing a Section 333 exemption for such activity.
- i. Private UAS Use within Institutional Airspace
- i. All Private UAS Use in Institutional Airspace requires prior approval by the Division of Research and Economic Development, or successor office, and may not interfere with the use of University grounds.
 - ii. The following restrictions apply to the time, place, and manner of Private UAS Use:
 1. Only with prior permission from the Vice President for Research and Economic Development or designee;
 2. Only during daylight hours;
 3. Within full view and control of operator

j. UAS Operations Indoors

- i. Approved Institutional UAS Use and approved Registered Student Organization use may occur inside of University facilities to support the University's mission areas. Indoor spaces are not deemed to be navigable airspace by the FAA and therefore do not require FAA regulatory compliance.
- ii. UAS may not be operated inside of University controlled facilities without prior written permission of the Vice President for Research and Economic Development or designee, and may never be operated in ways that interfere with the use of University facilities or operations. The Vice President for Research and Economic Development or designee, will confer with University Facilities and Services to determine if an indoor space is suitable for UAS operations and with the Division of Technology and Security to determine appropriate safety measures that must be implemented before operations may commence.
- iii. Permission to use UAS indoors may be requested through the Division of Research and Economic Development, or successor office.
- iv. The following restrictions apply to the time, place, and manner that UAS devices are operated indoors:
 1. Only with prior written permission;

- k. This policy and its procedures are to be read in conjunction with University and SDBOR policies regarding conduct while on University grounds and utilizing University resources. Failure to adhere to these policies, produce the application documentation when requested by University personnel, provide accurate information in an application, or operate the UAS safely may result in immediate revocation of UAS use authorization with or without notice.
4. Procedures
- a. Institutional UAS Use
 - i. University employees that intend to conduct Institutional UAS Use must complete a UAS Operations Request Form. The form will be routed to the

- iii. The approved form will be returned to the requester and copied to the Vice President for Technology and Security and all approvers.
- iv. The Division of Research and Economic Development, or successor, will officially submit all COA and Section 333 exemption applications on behalf of the University and will maintain oversight for the execution of approved waivers held by the University.
- v. The Division of Research and Economic Development will maintain a repository of successful COA and Section 333 exemption applications for new applicants to consult and will attempt to answer questions related to the FAA processes and direct University employees to other personnel who may be able to provide additional guidance. However, as noted above, the administrative unit proposing to use the UAS is responsible for completing the internal application checklist and drafting the applications.

b. Private UAS Use within Institutional Airspace

- i. A UAS Operations Request Form must be completed by the proposing individual and submitted to the Division of Research and Economic Development, or designee, for approval.
 - 1. The application must include the following:
 - a. An explanation of why the Private UAS Use must take place within institutional airspace;
 - b. Proposed activity within proper time, place, and manner restrictions;
 - c. Type of UAS to be utilized, including any applicable FAA registration identification, and the manner in which they will be operated;
 - d. Type of data collected and plan for collected data; review of justifications for any proposed data collection;
 - e. Flight and maneuver plan;
 - f. Person(s) who will be operating the UAS and proof of any required training;
 - g. A description of personal safety equipment that will be used (indoor operations requests must be accompanied by a protocol that complies with the current SDSU Environment Health and Safety UAS Indoor-use Safety Document);
 - h.
 - d.

