




COLORADO
Department of Public Safety

Title: Unmanned Aerial System Operations Main Section: Department Sub Section: Information Technology	POLICY NUMBER: 1.09.001 VERSION: 1.1 Supersedes: N/A
Related Mandates, Law, Standards, Executive Orders, Policies, or Procedures: FAA under 14 CFR 107 FAA Modernization and Reform Act of 2012. Pub. L. 112-095	
APPROVED BY:  EXECUTIVE DIRECTOR	<u>10/05/2022</u> EFFECTIVE DATE

I. BACKGROUND AND PURPOSE

The purpose of this policy is to establish a common framework for Unmanned Aerial System (“UAS”) operations for the Colorado Department of Public Safety (“CDPS” or “Department”). CDPS recognizes that each division has unique operational considerations, and this policy is intended to provide a foundation on which each division may establish its own directives/policies/procedures/Standard Operating Guidelines (SOGs) appropriately tailored to meet their mission and purpose for using the UAS. To ensure that these programs meet the needs of each division while remaining compliant with regulations and CDPS policy and that they are operated in a safe, efficient, and sustainable manner, the Colorado Center of Excellence for Advanced Technology Aerial Firefighting (CoE) will coordinate the efforts of all CDPS divisions and units using UAS technology and will act as the lead agency for coordinating airspace safety, training, program and policy development, and intergovernmental relations on matters related to UAS.

CDPS recognizes the value of UAS in public safety operations. UAS may be deployed in a wide range of public safety incidents to complete tasks that would be difficult, costly, hazardous, or even impossible to accomplish without their use. The Department is also

conscious of the risks involved in any kind of aviation, manned or unmanned. As such, the purpose of this policy and the Department's use of UAS is to provide a powerful tool to Department employees and cooperators while managing the risks involved.

II. SCOPE

This policy applies to all CDPS employees, volunteers, contractors, and others acting on behalf of CDPS or engaging in any UAS operations under the auspices of the Department. This policy applies to all UAS flight operations, regardless of weight or geographic location.

III. DEFINITIONS

- A. **Colorado Center of Excellence for Advanced Technology Aerial Firefighting (CoE)** coordinates the efforts of all CDPS divisions and units using UAS technology and acts as the lead agency for coordinating airspace safety, training, program and policy development, and intergovernmental relations on matters related to UAS.
- B. **Certificate of Waiver or Authorization ("COA")**: A Certificate of Waiver or Authorization permits public agencies and organizations to operate a particular aircraft, for a particular purpose, in a particular area, or waives specific requirements for operations.
- C. **UAS Program Manager**: The program manager will be responsible for ensuring compliance with division directives/policies/SOGs and this policy and will coordinate the division's UAS efforts with the CoE.
- D. **Remote Pilot in Command ("rPIC")**: The person responsible for ensuring safe and appropriate operations of a particular UAS.
- E. **UAS Crew Member**: The rPIC and any observers, sensor operators, or other personnel directly involved in ensuring the safety and success of a UAS mission.
- F. **Unmanned Aerial System ("UAS")**: Unmanned aircraft and all of the associated support equipment, control station, data links, telemetry, communications, navigation equipment, etc. necessary to operate the unmanned aircraft. UAS weighing less than 55 pounds with their payload are categorized as small UAS ("sUAS").
- G. **Part 107**: 14 CFR 107, Federal regulations concerning civil operations of sUAS.

IV. POLICY

- A. All UAS activity operated or caused to be operated on behalf of the Department must be in compliance with this Policy. Department members may deviate from this policy only if doing so is reasonably necessary to address an emergency involving significant potential for injury or death. Emergency action should be taken in such a way as to minimize injury or damage to property. Any exceptions taken must be documented in the flight log and reviewed by the appointing authority.

V. PROCEDURE

A. Administration

1. The use of UAS is to be coordinated at the divisional level. The CoE is the lead unit for UAS efforts within the Department and will coordinate the efforts of all CDPS divisions and units using UAS technology, will review division directives/policies/SOGs, will develop training requirements and protocols, will establish a centralized system for maintaining UAS-related records, will maintain a set of standards for approving UAS platforms for CDPS use, and will provide a periodic report to the Executive Director of the Department on the use of UAS. Each division engaging in UAS operations is responsible for implementing division directives/policies/SOGs for operational use of their UAS for public safety purposes and shall have a Program Manager who can provide the minimal oversight requirements outlined in this policy.
2. Any CDPS division that wishes to operate UAS shall appoint a UAS Program Manager. In the event a division wishing to engage in UAS operations does not have a Program Manager within the division, a Program Manager for another division may be delegated the responsibility for managing that division's UAS program.
3. The CoE shall provide advice to CDPS regarding UAS platforms for department use.

B. Training and Skill Currency

1. Prior to engaging in UAS operations, any remote Pilot in Command ("rPIC") must obtain a UAS Remote Pilot Certificate from the Federal Aviation Administration ("FAA") under 14 CFR 107. This remote pilot certificate is required for all UAS flights regardless if the operation is considered a civil aircraft operation or public aircraft operation.
2. A person without a Remote Pilot Certificate may only operate a UAS under the direct supervision and command of a certified UAS Remote Pilot. A certified UAS Remote Pilot may only supervise one uncertified rPIC at any given time.
3. The CoE shall establish minimum training standards and protocols and administer training to all CDPS personnel authorized to use UAS on at least an annual basis.
 - a. The CoE shall make available to CDPS members an initial UAS rPIC development course and a periodic refresher course to satisfy the training requirements of this policy.
 - b. The CoE shall develop pilot certification standards for CDPS.
 - c. The CoE shall issue credentials to pilots who successfully complete the training and meet CDPS certification standards. CDPS UAS Pilots shall have the credentials in their possession while operating UAS on behalf of CDPS.

C. Pilot Responsibilities

1. Every rPIC has the responsibility to ensure that missions are performed within the parameters of what is safe, legal, and effective. The rPIC has the ultimate authority and responsibility to refuse a mission if they believe that such mission would fail to comply with laws and regulations, would present a risk to safety requirements, or would fail to meet best practices.
2. The rPIC is responsible for completing all tasks required to obtain mission approval, including communication with the FAA and all nearby airports, with the Incident Commander (IC) or the Air Operations Branch Director (AOBD), and any other required notifications as applicable.

D. Data Handling and Retention

1. Each division engaging in UAS operations must handle any collected data in accordance with CDPS and divisional existing data or evidence handling and retention policies.
2. In the course of performing missions, a UAS may collect sensitive data which may be inappropriate for public disclosure or which may need to be edited or redacted before it may be released. Any such redaction or non-disclosure must be done in accordance with the Colorado Open Records Act (C.R.S. § 24-72-201 to 206), the Colorado Criminal Justice Records Act (C.R.S. § 24-72-301 to 309), the Children's Code Records and Information Act (C.R.S. § 19-1-301 to 309.5), or any other laws, regulations, and policies pertaining to data retention, records management, or records disclosure.
3. Any person acting as rPIC or crew member must take reasonable precautions and conduct UAS operations in such a way as to minimize the collection of data that is not necessary to the object of the mission.

E. Flight Records

1. The CoE shall establish a method for [logging flight information and metadata](#) from UAS missions, as well as auditing and managing rPIC training and currency requirements. At a minimum, the log must contain each operational mission undertaken, the name of the assigned rPIC, the mission location, duration, and a brief description of the goals of the mission.
2. The CoE shall coordinate records retention for flight records, pilot logs, training records, and aircraft maintenance records with the divisional program managers. Media recorded in UAS missions shall be retained in accordance with statute, rules, division directives/policies/SOGs, and division records retention schedules on file with the State Archivist.

VI. REFERENCES

- A. CDPS UAS/UAV flight log, pilot flight records, training records, and aircraft management [webpage](#)
- B. 14 CFR Part 107 (sUAS)
- C. FAA Modernization and Reform Act of 2012. Pub. L. 112-095
- D. [FAA UAS Public Safety and Law Enforcement Toolkit](#)

VII. REVISION HISTORY

- A. Unmanned Aerial System Operations, Version 1.0, adopted December, 2017.
- B. Unmanned Aerial System Operations, Version 1.1, October 05, 2022.