



Unmanned Aircraft Systems (UAS) Policy

Policy # OE006
Effective:

Policy Owner: Director, Office of Aeronautics

Policy Contact: Manager, Aviation Safety and Enforcement, Office of Aeronautics

Policy Statement

The Minnesota Department of Transportation (MnDOT) allows the use of an Unmanned Aircraft System (UAS) for MnDOT business purposes. The MnDOT Unmanned Aircraft Systems policy applies to operations by MnDOT employees and by third parties working on behalf of MnDOT. The Office of Aeronautics must approve UAS usage by MnDOT or third parties working on behalf of MnDOT.

UAS operators must be licensed as required by Minnesota Statutes §360.018 and must comply with applicable federal requirements. MnDOT-owned UAS and UAS owned by third parties must be registered as required by Minnesota Statutes §§360.511 - 360.67 and either 14 CFR §47 or 14 CFR §48. Aircraft must be insured as required by [Minnesota Statutes §360.59](#).

MnDOT Employees

MnDOT employees may not use personally-owned UAS for MnDOT business purposes.

For UAS operation, MnDOT employees must:

- comply with the requirements of the Federal Aviation Administration (FAA);
- follow the [Unmanned Aircraft Systems Procedures](#); and
- provide the Office of Aeronautics with a detailed flight and safety plan that addresses all aspects of the intended mission prior to operations.

Third Parties

For UAS operation, third parties working on behalf of MnDOT must:

- adhere to federal, state, and local laws regarding the use of UAS;
- contact appropriate Tribal Nation when working within [Indian Country](#);
- be licensed and registered as a commercial operation with the MnDOT Office of Aeronautics;
- carry insurance as required by [Minnesota Statutes §360.59](#); and
- provide the Office of Aeronautics with a detailed flight and safety plan that addresses all aspects of the intended mission prior to operations.

Reason for Policy

The Federal Aviation Administration and Minnesota Statutes and Administrative Rules provide the requirements for licensure, registration, and operation of Unmanned Aircraft Systems.

This policy:

- provides clear and concise information on the UAS application, purchase and operation procedures;
- identifies roles and responsibilities; and
- ensures compliance with state and federal laws and regulations.

Applicability

All MnDOT employees and third parties working on behalf of MnDOT must comply with this policy.

Key stakeholders affected by this policy include:

- Office of the Commissioner
- District Engineers and Assistant District Engineers
- Office Directors
- Division Business Managers
- Project Managers
- Office of Communications
- Employees and third parties, including consultants and contractors, seeking or obtaining approval to use UAS for MnDOT business purposes

Definitions

Flight (UAS Flight)

An individual operation of an Unmanned Aircraft System from takeoff to landing.

Note: Each flight must have defined parameters for area of operation, altitudes, flight path and length of flight.

Indian Country

A legal term of art referring to lands held in trust for Indians and Indian tribes. Indian country goes beyond reservation boundaries. It includes reservations, some off-reservation allotments, and “dependent Indian communities” (i.e. land that is federally supervised and set aside for the use of Indians; this is usually found on off-reservation trust land).

Mission (UAS Mission)

The specific details and justification for the particular use of a particular unmanned aircraft.

Examples of missions include bridge inspections, aerial photography, salt pile measurements, etc.

Pilot (UAS Pilot)

The designated operator of an Unmanned Aircraft System.

Note: UAS pilots must meet the FAA requirements for the type of operation they are conducting. Pilots flying under 14 CFR §107 **must be certificated** as remote pilots with a small UAS rating. If the operation is being

conducted under a Certificate of Authorization (COA), then the pilot additionally must meet the requirements as required by the COA. All MnDOT staff piloting small UAS are required to have a remote pilot certificate with small UAS rating issued by the FAA. Additional training will be required to comply with a COA or Operations Manual.

Project (UAS Project)

A specific task with a specific purpose, timeframe and defined location.

Note: A project may require multiple flights to complete.

Unmanned Aircraft Vehicle (UAV)

The flying portion of an Unmanned Aircraft System (UAS), flown by a qualified pilot via a ground control system, or autonomously through use of an on-board computer, communication links and any additional equipment that is necessary for the UAV to operate safely.

Note: The use of the term “unmanned” is not intended to be exclusive. It is the terminology used in federal regulations to describe remotely operated aircraft.

Unmanned Aircraft System (UAS)

An Unmanned Aircraft Vehicle (UAV) and all the associated support equipment, control station, data links, telemetry, communications and navigation equipment necessary to operate the aircraft.

Responsibilities

Office of Aeronautics

- Review and approve UAS use requests, flight and safety plans, and pilot credentials for all use of UAS flown by MnDOT staff or third parties.
- Approve MnDOT purchases of UAS.
- Review and approve Certificate of Authorization (COA) applications before transmittal to the FAA.
- Review and approve district and office UAS operations manuals.
- Register UAS to ensure compliance with state statutes and rules.
- License contractors to ensure compliance with state statutes and rules.
- Ensure compliance and identify opportunities for improvement of UAS operations.
- Serve as liaison between district or office and the Federal Aviation Administration (FAA) for waivers and airspace authorizations. Review and approve waiver applications prior to transmittal to the FAA.
- Serve as liaison for communication between districts and offices and the FAA.
- Assist districts and offices that are pursuing or contracting for UAS services, as needed.

Office of Communications/District Public Affairs Coordinators

- Provide media coordination for projects to ensure clear, consistent messages about MnDOT use of UAS.

Districts and Offices

- Designate a point of contact for UAS operations within the district or office.
- Prepare and provide the [UAS Use Application](#) to the Office of Aeronautics for approval.
- Prepare an operations manual for district or office ownership and use of UAS – to review and approval by the Office of Aeronautics.

- Monitor the operations of MnDOT-owned UAS to ensure that flights are being conducted in accordance with the operations manual.
- Ensure that all contracts and subcontracts for UAV activities include a provision to follow the UAV operations manual.
- Prepare the funding plan supporting the UAS (purchase or contract).
- Purchase and maintain insurance for the UAS.
- Notify the Office of Communications or District Public Affairs Coordinator on each project.
- For flights in [Indian Country](#), ensure Tribal Nation is notified before flight.
- Ensure employees authorized to use a UAS read, understand and follow this policy.
- Provide necessary coordination with multiple parties to mitigate risk exposure for employees, contractors and the public.
- Work with the Office of Aeronautics to submit to the FAA applications for waivers and airspace authorizations.
- If the district or office receives communications from the FAA, the point of contact must contact the Office of Aeronautics before responding.
- Store, retain, and dispose of UAS video files according to the agency Record Retention Schedule.

Employees and Third Parties using Unmanned Aircraft Systems

- Read, understand and follow this policy and the operations manual, all FAA, state, and local regulations and the instructions provided by the UAS manufacturer.
- Follow the restrictions laid out in the UAS Use Application and supporting documentation.
- Provide the Office of Aeronautics with a detailed flight and safety plan that addresses all aspects of the intended mission for review and approval prior to operations.

Policy Owner (Director, Office of Aeronautics)

- Review policy every year to ensure policy remains up-to-date.
- Ensure procedures, forms, supporting documents, and training associated with the policy remain current.
- Work with Policy Coordinator to revise policy and/or confirm its accuracy.
- Communicate new policies as well as revisions, reviews, and retirements to stakeholders.

Resources & Related Information

Forms

- [MnDOT Unmanned Aircraft System Use Application](#)

Processes, Procedures, and Instructions

- [Unmanned Aircraft Systems Procedures](#)

Resources

- [Minnesota Statutes §§360.018 - 360.93](#)
- [Minnesota Rules 8800.3100 - 8800.3950](#): Commercial Operations
- [FAA Unmanned Aircraft Systems](#)
- MnDOT [Contract Management Policy](#)
- MnDOT [Media Relations Policy](#)

- [MnDOT Office of Aeronautics and Aviation](#)
- [MnDOT Tribal Map Application](#)
- Business Data Catalog (BDC) – accessible from employee Intranet
- MnDOT's [Policy Website](#)

History & Updates

Title: *Unmanned Aircraft Use Policy (2020)*

Revision	Date	Comments
Initial Adoption	6-18-2015	Policy #OP006 Adopted
1 st Revision	7-29-2016	Update template – no new signatures
2 nd Revision	4-3-2018	Revision
3 rd Revision		Clarify that MnDOT employees may not use personal aircraft for MnDOT business purposes; add requirement for aircraft insurance; clarify responsibilities; separate procedures from policy; renumber policy as OE006.

Authorization

Policy Owner:

Signature: _____

Print Name: _____

Date: _____

Governance Committee has reviewed this policy and recommends approval:

Signature: _____

Print Name: _____

Date: _____

Responsible Senior Officer:

Signature: _____

Print Name: _____

Date: _____

Policy Review

This policy has been reviewed by the Policy Owner, the policy content is current, and no significant modifications are needed. Minor modifications have been noted in the “Comments” section.

Date	Policy Owner Signature	Comments