

City of Plymouth - Unmanned Aerial Vehicle Policy

Purpose

This policy is intended to establish guidelines for the use of unmanned aerial vehicles (UAV's), including retrieval and dissemination of images and data captured by the UAV.

Definitions

Unmanned Aerial Vehicle (UAV) - An unmanned aerial vehicle is an unmanned aircraft of any type that is capable of sustaining flight, whether remotely controlled or preprogrammed and all the supporting or attached hardware designed for gathering information through photography, video recording or any other means. UAVs are also commonly referred to as unmanned aerial systems (UAS), or drones.

Policy

It is the policy of the City of Plymouth that Unmanned Aerial Vehicles may be utilized to enhance the City's ability to provide city services in the most cost and time efficient manner. Applications for a UAV span the breadth of city operations. Any application of the UAV will be in accordance with Federal, State and City laws, to include constitutional privacy rights, search and seizure regulations and Federal Aviation Administration (FAA) regulations.

Privacy Considerations

City personnel operating an UAV shall be mindful of privacy rights and absent a warrant or exigent circumstances shall adhere to FAA altitude regulations and shall not intentionally record or transmit images in any location where a person would have a reasonable expectation of privacy (e.g., inside house, fenced yard, enclosed area only visible from an elevated position). Operators and observers will take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions may include, for example, deactivating or turning imaging devices away from such areas or persons during UAV operations.

Authorized Uses

This policy identifies likely projects and tasks that an UAV will be used for but is not comprehensive.

Communications:

- Obtain video and still images that would help promote and market city services, programs, events, and the City itself.

Engineering/ Water Resources:

- Conduct field inspections, document construction projects, and create demonstration videos.

Parks and Recreation:

- Surveying park development land logistics, aerial inspections of park land and open spaces, special event logistics such as pedestrian and vehicle traffic review, park damage assessments following major weather events, and the creation of promotional footage of park properties and amenities.

Public Safety:

- The UAV may be used to conduct crimes scene and crash scene documentation and conduct search and rescue operations of missing persons or objects. A UAV may be used in an effort to

protect public safety staff from unnecessary exposure to danger and minimize the risk of injury to bystanders, officers and suspects with the intent to enhance the likelihood of bringing peaceful resolutions to potentially deadly incidents.

- Use of vision enhancement technology (e.g., thermal, forward looking infrared radiometer (FLIR), or other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order.
- Any public safety application of the UAV will be in accordance with Federal, State and City laws, to include constitutional privacy rights, search and seizure regulations, Federal Aviation Administration (FAA) regulations and department policy. Public Safety missions will follow, Policy 606 and Minnesota Statute 626.19 and amendments to Minnesota Statute 13.82

Prohibited Uses

Under no circumstances will a City owned UAV be used for the following:

- To conduct random surveillance activities.
- To harass, intimidate or discriminate against any individual or group.
- To conduct personal business of any type.

Authorized Operators

Only City of Plymouth personnel who have successfully completed the required training shall be permitted to operate the UAV.

Retention of UAV Data

Each authorized UAV operator will maintain a flight log in accordance with FAA rules and regulations. Operators will log the date, flight time and locations of all UAV deployments including training operations. They will also note as applicable, case number, incident type, automated flight or manual flight, and whether photo images or video were captured during the flight.

Data collected by the UAV not being used for an ongoing project or related to an active criminal investigation will be retained in accordance to the adopted "General Records Retention Schedule for Minnesota Cities" as amended from time to time and City of Plymouth Records Retention Schedules. Digital logs of aircraft mission profiles will be retained pursuant to FAA rules and regulations. All required flight data and documentation will be transferred to the appropriate software for historical and reportable data.

Program Coordinator

The City Manager will designate a UAV program coordinator. The program coordinator will be responsible for the management of the UAV program. The program coordinator will be responsible for:

- Ensuring that policies and procedures conform to current laws, regulations and best practices.
- Establishing a training standard for operators that meets FAA requirements.
- Maintaining and updating the Certificate of Authorization (COA) with the FAA, should the City elect to apply for a COA.
- Overseeing procurement and maintenance of UAV equipment
- Review of UAV deployments to ensure compliance with policies and operating procedures.
- Conducting audits of flights logs semiannually.

- Retention of Data.
- Maintain appropriate insurance requirements.

Changes to this Policy will be approved by the City Manager.