

**UNIVERSITY OF HOUSTON SYSTEM
ADMINISTRATIVE MEMORANDUM**

SECTION: General Administration

NUMBER: 01.F.02

AREA: Public Safety

SUBJECT: Unmanned Aircraft Systems (UAS)

1. PURPOSE

- 1.1. The University of Houston System supports the proper use of Unmanned Aircraft Systems (“UAS”) for research, educational, and other purposes. This policy sets forth guidelines and conditions for the purchase and safe operation of UAS covered by Section 2.1 to ensure compliance with applicable laws and minimal interference to System students, faculty, staff, visitors, and facilities.
- 1.2. The use of UAS is regulated by the Federal Aviation Administration (“FAA”) as well as other federal, state, and local law. All UAS, regardless of the purposes for which they are used, are subject to FAA regulations when operated within the National Airspace System.
- 1.3. The Assistant Vice Chancellor of Police Operations, or their designee, is charged with implementing the operational guidelines consistent with this policy and is responsible for administering the review and approval process for UAS activities.
- 1.4. Universities within the System may establish additional UAS operating guidelines governing indoor or outdoor use of UAS, consistent with this policy. Individuals should check with the applicable university’s police department for further information specific to that university.

2. APPLICATION OF POLICY

- 2.1. This policy applies to:
 - 2.1.1. The use of UAS by anyone for any purpose, from, on, or over any premises owned or leased by the System;
 - 2.1.2. The use of UAS by anyone at or for System-sanctioned activities off System premises; and
 - 2.1.3. The purchase of UAS with any funding from System or university accounts, gifts, grants, or sponsored programs.

- 2.2. Some System properties are located within controlled airspace, near major airports, and in proximity to heliports, stadiums, and government security sites that may limit operations or require airspace authorization prior to flight.
- 2.3. All owners and operators of UAS are personally responsible for complying with FAA regulations, applicable state and local law, and System and university policy. All UAS requests will be reviewed and assessed on a per case basis.
- 2.4. International UAS activities must follow all applicable laws and regulations of the host country. Certain UAS may also be export-controlled under U.S. export regulations.
 - 2.4.1. An export license may be required to ship UAS to a foreign country, provide a foreign national with software and technology related to the UAS, and/or transfer technology generated by a UAS to a foreign national or an unapproved cloud environment. The transfer and use, even within the U.S., of a UAS by a foreign national may be controlled under U.S. export regulations.
 - 2.4.2. System affiliated individuals and organizations seeking to design, build, research, use in research, modify, dismantle, and/or operate a UAS in a foreign country or with a foreign national, even within the U.S., must do so in accordance with U.S. export regulations and System export-control policies.
 - 2.4.3. UAS purchased using sponsored research funds and/or used in the performance of sponsored research must not be manufactured by or purchased from a Restricted Entity under U.S. export regulations and/or Section 889 of the National Defense Authorization Act.
 - 2.4.4. In these instances, the applicable university's Export Control Officer must be contacted to ensure all export-control regulations and policies are followed.

3. DEFINITIONS

- 3.1. Crewmember: A UAS flight crew member includes pilots, sensor/payload crew, visual observers (VO), or other persons required to ensure safe operation of a UAS.
- 3.2. National Airspace System: The airspace, navigation facilities and airports, along with their associated information services, rules, regulations, policies, procedures, personnel, and equipment.
- 3.3. Part 107 (14 CFR § 107.01, et seq.): The primary federal regulations governing the use of small UAS (less than 55 pounds) in the National Airspace System.

- 3.4. Pilot in Command (PIC): The individual ultimately responsible for the safe operation of an unmanned aircraft during a scheduled activity and ensuring all crewmembers are suitably qualified. This individual must know and comply with all federal, state, and local laws, and guidance, as well as System and university policy.
- 3.5. Request: A UAS/Drone Permit Application, which seeks permission to operate a UAS on System premises or at or for a System-sanctioned activity off System premises.
- 3.6. System: As used herein, the University of Houston System, its universities, and any university department, division, or unit.
- 3.7. System premises: Buildings, grounds, and land that are owned, controlled, occupied, or operated by the University of Houston System.
- 3.8. Unmanned Aircraft (UA): An aircraft operated without the possibility of direct human intervention from within or on the aircraft. Commonly referred to as a drone, UAV, quadcopter, or remote-controlled aircraft.
- 3.9. Unmanned Aircraft System (UAS): An unmanned aircraft and its associated components including payloads, communications, support, and navigational equipment.
- 3.10. Visitor: Unaffiliated, third-party individuals who visit System premises for their own purposes or are invited for official System business.

4. POLICY AND PROCEDURES

- 4.1. UAS Purchased with System or University Funds
 - 4.1.1. All System and university employees and departments directing the purchase of a UAS or UAS parts or services with any funding from System or university accounts, gifts, grants, or sponsored programs must first obtain purchase approval from the university's Export Control Officer and be familiar with the FAA and other legal and regulatory requirements for the use and operation of the UAS as set forth in this policy.
 - 4.1.2. UAS or UAS parts purchased with any funding from System or university accounts, gifts, grants, or sponsored programs must be inventoried in the System property management system in accordance with [SAM 03.E.02](#) and university policies, and contain an identification label with the name, address, and phone number of the applicable university department.

Purchasers should contact their respective purchasing office to understand the applicable internal process and requirements.

- 4.1.3. All System owned or acquired Unmanned Aircraft (UA) must be registered with the FAA in a format that complies with FAA and System guidelines. See <https://uh.edu/police/drones> for more information.
- 4.1.4. Insurance requirements associated with the operation of a UAS, whether purchased with System or university funds or owned by third parties are set forth in Section 4.2.
- 4.1.5. Disposal of a UAS must follow System and university policies and applicable law, including without limitation, export control regulations.

4.2. Insurance Requirements

4.2.1. System-Owned UAS

Liability coverage is required for all System-owned UAS. The applicable System department must contact Risk Management to ensure that any System-owned UAS is listed under the UAS liability policy maintained by Risk Management. If desired, the department may purchase additional insurance coverage through Risk Management covering physical damage sustained by the UAS. All insurance premiums shall be the responsibility of the department. Exceptions may be permitted only with the approval of Risk Management.

4.2.2. Visitors/Unaffiliated Applicants

- A. Liability Insurance with a minimum policy limit of \$1,000,000 is required for all UAS operated by third parties regardless of whether the UAS operations are taking place from System premises or during System-sanctioned activities off-campus.
- B. The System and the applicable university must be added as additionally insured under the policy, and the policy must contain a waiver of subrogation in favor of the System and the applicable university.
- C. Visitors/unaffiliated applicants must provide a certificate or other acceptable proof of insurance with their application to operate a UAS demonstrating they meet these requirements.
- D. Exceptions may be permitted only with the approval of Risk Management.

4.3. Permit Application Request Procedure

- 4.3.1. Any individual or organization wishing to operate a UAS on System premises or at or for a System-sanctioned activity off System premises must first complete a [UAS/Drone Permit Application](#) (“Request”) and provide all requested, applicable supporting documentation.
- 4.3.2. The Assistant Vice Chancellor of Police Operations, or their designee(s), will coordinate and consult with the applicable System and university contacts to review Requests, which may include but is not limited to, any required Export Control Review under Section 2.4 or Risk Management Review.
- 4.3.3. If the Request is approved, the permission will only be valid for the approved use and time period unless otherwise authorized in writing.
- 4.3.4. Prior approval is not required for use of UAS on System premises for certain emergency public safety or government operations by personnel acting under the authority of applicable laws, but the applicable university police department should be notified of any such operations beforehand when feasible.

4.4. Additional Requirements for Visitors/Unaffiliated Applicants

Visitors/unaffiliated applicants wishing to operate a UAS on or above System premises or off System premises at or for System-sanctioned activities must also, at minimum:

- 4.4.1. Have an FAA certificated remote pilot present during the entirety of the operation;
- 4.4.2. Provide proof of insurance coverage specified in Section 4.2.2.
- 4.4.3. Agree to hold the System and applicable university harmless for any resulting claims, loss, or damage from UAS operations.

4.5. Sponsored/Authorized Operations Off System Premises

- 4.5.1. System sponsored/authorized UAS operations off System premises must comply with all applicable laws, System and university policies, and other requirements of the planned UAS operation site.
- 4.5.2. Operators must request and obtain written permission from property owners if planning to fly over private property or if there is the possibility that any images of private property will be taken.

4.5.3. Operators may not retrieve UAS from private property without permission from the landowner.

4.6. General UAS Operating Guidelines

4.6.1. UAS must be operated in a manner that ensures the safety, security and privacy of people, and the structural integrity of System properties in accordance with System and university policies and guidelines.

4.6.2. A copy of the approved permit should be in possession of the operator during flight activity on System premises, and should be presented, upon request, to any university official or representative with control or jurisdiction over the activity.

4.6.3. Any UAS that is over .55 pounds (250 grams) must be registered with the FAA. A UAS operated under Part 107 must be registered with the FAA regardless of weight. The registration number must be legible and displayed in a readily accessible location on the UA. For more on this requirement, see https://www.faa.gov/uas/getting_started/register_drone.

4.6.4. Operators must only conduct approved flights under favorable conditions. If unforeseen circumstances develop, such as adverse weather, the operator must end the flight and should request an extension within three (3) business days to determine a suitable reschedule date.

4.6.5. Operators are expected to establish contingency management plans that provide, at minimum, actions that will be taken in the event of a loss of communication with the aircraft or loss of power.

4.6.6. Operators whose activities have been approved for recording or transmitting visual images shall take all reasonable measures to avoid violations of areas considered private. All persons must be compliant with privacy provisions under state law, including but not limited to [Texas Government Code Chapter 423](#), and other applicable laws, including Part 107, particularly when operating a UAS over private property. Violation of this provision may result in criminal penalties.

4.6.7. As of September 16, 2023, all UAS must comply with FAA [14 CFR § 89](#) requirements for Remote ID. For guidance on these requirements, see https://www.faa.gov/uas/getting_started/remote_id.

4.7. Specific UAS Operating Guidelines

For additional information on UAS operating guidelines, both generally and for special situations and requests (e.g., System students, faculty, or staff operating

third-party-owned UAS, visitors operating System-owned UAS), see <https://uh.edu/police/drones>.

4.8. Prohibited UAS Operations

4.8.1. UAS must not be used for any unlawful purpose.

4.8.2. UAS must not be flown over people or over moving vehicles except as permitted under Part 107. See, for instance, [14 CFR §§ 107.39, 107.100, and 107.145](#).

4.8.3. UAS operations above or in proximity of stadiums (such as TDECU) on game days or otherwise, are prohibited under FAA regulation, state and local law, and System policy unless granted an FAA airspace waiver and with prior approval from the Office of Police Operations and Risk Management, who shall consult with the Division of Athletics to determine whether NCAA or division rules restricting UAS use are applicable. [Texas Government Code Section 423.0046](#) provides further restrictions regarding the operation of UAS below 400 feet over certain sports venues.

4.8.4. UAS must not be used to take photos or videos of persons or property without written approval from the applicable university's UAS authority, and without express permission from the persons involved. UAS operations that illegally monitor or record sensitive, institutional or personal information are prohibited, including, but not limited to: individual or institutional workspaces, computers, or other electronic displays, restrooms; changing, dressing, or locker rooms; residential rooms, hallways, lounges, or apartments; medical treatment facilities; or childcare facilities.

4.8.5. UAS operations that create an unsafe environment for any member of the System community or the public are prohibited as described in [14 CFR Section 107.23](#) or as otherwise set forth in applicable law and System policies. This includes acting as a crewmember of a UAS under the influence of alcohol, drugs, or medication.

4.9. Flight and Maintenance Records

4.9.1. System departments should maintain flight and maintenance records for all UAS they own and/or operate.

4.9.2. The Pilot in Command (PIC) is required by the FAA to maintain flight and maintenance records for all UAS operated under Part 107.

4.10. Accident and Adverse Incident Reporting

4.10.1. Any incident that causes damage to persons or property involving a System-owned UAS or a UAS operated on System premises or at or for a System-sanctioned activity must be reported as soon as possible to the applicable campus police department and Risk Management.

4.10.2. If an incident occurs during a System-sanctioned activity off System premises, the UAS operator must report the incident to the Assistant Vice Chancellor of Police Operations or their designee as soon as possible and a records request will be initiated to obtain the report from the applicable law enforcement agency. Operators are also required to report serious incidents to the FAA.

5. VIOLATIONS AND SANCTIONS

5.1. Any individual or organization found to be operating a UAS on System premises or at or for any System-sanctioned activity without an approved Request or performing operations beyond the scope of their approved Request, and/or in violation of any federal, state, or local laws, and/or System or university policies will be directed by authorized representatives to cease operations immediately. Violations will be referred to the applicable university disciplinary process and will be considered in future Requests. Individuals who violate this policy may also be subject to civil or criminal penalties as well as the seizure of their UAS by campus authorities.

5.2. The System reserves the right to pursue trespassing charges and other legal action against third parties that operate UAS in violation of this policy.

5.3. Fines or damages incurred by individuals or entities failing to comply with this policy will not be paid by the System and will be the responsibility of those persons involved.

5.4. The University of Houston System and its universities will not assume responsibility for any damage resulting from the operation of a UAS in violation of this policy or university operational guidelines. The operator will bear all responsibility for any property damage or losses ensuing from the operator's UAS activities.

6. REVIEW AND RESPONSIBILITY

Responsible Party: Assistant Vice Chancellor of Police Operations

Review: Every five years

7. APPROVAL

Approved: /Raymond Bartlett/
Senior Vice Chancellor for Administration and Finance

 /Renu Khator/
Chancellor

Date: January 31, 2024

8. REFERENCES

- [49 U.S.C. § 44809](#)
- [14 CFR § 89](#)
- [14 CFR Part 107](#)
- [Texas Government Code Chapter 423](#)
- [www.faa.gov/uas/](#)
- [https://uh.edu/police/drones](#)
- [UAS/Drone Permit Applications](#)