

Texas A&M AgriLife Research Procedures

24.01.07.A0.01 | Unmanned Aircraft Systems

Approved: June 25, 2018

Next Scheduled Review: June 25, 2023

[Click to View Revision History](#)



PROCEDURE STATEMENT

The following procedure outlines the requirements to oversee safe and compliant Unmanned Aircraft Systems (UAS) and model aircraft activity being performed on or above property under the purview of Texas A&M AgriLife Research (AgriLife Research); by agency employees and students, regardless of location; and by contractors hired by the agency to conduct UAS operations. Additionally, the UAS procedure will support and direct the efforts and responsibilities of the UAS Supervising Authority.

REASON FOR PROCEDURE

This procedure outlines the roles and responsibilities of AgriLife Research employees, students, third party vendors, or contractors that operate Unmanned Aircraft Systems on property owned or leased by the agency.

PROCEDURES AND RESPONSIBILITIES

1.0 RESPONSIBILITIES

1.1 AgriLife Research UAS Supervising Authority

Texas A&M AgriLife (AgriLife) Risk and Compliance serves as the AgriLife Research UAS Supervising Authority, and conducts the following responsibilities:

- A. Approves and disapproves all UAS flights on property under agency purview, by agency employees operating UAS as part of their employment, and contractors conducting UAS; operations on or above property under agency purview or on behalf of the agency;
- B. Manages and authorizes the purchase of UAS with funding through agency accounts, grants, sponsored programs/projects, or other accounts;
- C. Manages and authorizes the approval for hired/contracted vendors to fly UAS;
- D. Receives approval from the Director or designee before filing with the FAA for a public Certificate of Authorization (COA) or Part 107 Certificate of Waiver (CoW) and, if a public COA or CoW is granted, the public COA or CoW must be held in the name of AgriLife Research and retained by the supervising authority;
- E. Obtains a public agency declaration letter from The Texas A&M System (A&M System) Office of General Counsel if acquiring a public COA;
- F. Validates all UAS flying under the public operations option and having FAA registration numbers affixed (See Appendix B);
- G. Validates that the UAS is placed on inventory and has an asset number assigned to it, regardless of its dollar value;

- H. Monitors AgriLife Research employees who fly under COAs to ensure that all operational, notification and reporting requirements of each COA are met (The provisions of each COA shall take precedence over other rules and regulations as directed by the FAA. An exception for emergency response approval and use of UAS may be delegated to the incident command level (e.g. police department or fire department representative) as long as a competent, qualified individual for UAS is available to manage risk and verify compliance.); and
- I. Annually reviews documents associated with the approval process managed and implemented by the supervising authority. The following items may be required during a compliance review.

	Third Party (Part 107 or COA)	Employee Public COA	Employee Part 107	Retention
Liability Waiver	Yes	N/A	N/A	AC+4 yrs.
Past year reportable accident reports and any current flight accidents	Yes	Yes	Yes	CE+5 yrs.
Current contract applicable to current activity	Yes	N/A	N/A	AC+4 yrs.
Certificate of Insurance	Yes	N/A	N/A	AC+4 yrs.
FAA COA	Yes	Yes	Yes	AC+4 yrs.
Current Contingency Management and Mishap Response Plan (Mission Brief and Safety Risk Matrix)	Yes	Yes	Yes	AC+1 yr.
Remote Pilot Certificate	Yes	Yes	Yes	AC+1 yr.
System Application for Authorization to Fly UAS at System or Member	Yes	Yes	Yes	AC+1 yr.

AC = After Closed, Terminated, Completed, Expired, Settled, CE = Calendar Year End

1.2 AgriLife Research Employees

- A. All agency employees are responsible for complying with federal, state, and local laws, including FAA regulations, A&M System policies and regulations, and AgriLife Research procedures.
- B. All agency employees and students wishing to operate a UAS as part of their employment or as part of an AgriLife Research program (including academic course work), must first receive approval from the UAS Supervising Authority with a determination as to whether it will fall under a Part 107 civil operation or under a public operations definition. The options are:
- 1) Fly under Part 107, Fly Under the Small UAS rule (14 CFR Part 107);
 - 2) Obtain a CoW issued by the FAA for operations beyond those in Part 107;
 - 3) Public COA; or
 - 4) Contact the AgriLife Research UAS Supervising Authority for coordination and approval.

- 5) An agency employee purchasing a UAS (or the parts to assemble a UAS), or UAS services with agency funds or funds being disbursed through an agency account, sponsored project, grant funds, or other types of accounts must contact the AgriLife Research UAS Supervising Authority in order to assess the agency's ability to obtain a COA; other necessary FAA exemptions; compliance with revised FAA requirements; and/or the ability to meet local compliance requirement prior to the disbursement of funds.
- C. Any UAS that is fabricated must be certified as airworthy by a qualified engineer before it may be flown on AgriLife Research property. Such certification must be submitted to the AgriLife Research UAS Supervising Authority. The UAS may be subject to FAA UAS registration requirements and may need to be recorded under local procedures on property record-keeping requirements.

1.3 UAS Flight Maintenance Recordkeeping

- A. A UAS Pilot in Command (PIC) must maintain all flight and maintenance records for the UAS he/she pilots according to FAA rules and regulations.
- B. If a department/unit of AgriLife Research is required under a FAA rule, FAA regulation, contract, grant or award to keep copies of all or part of the flight and/or maintenance records or additional information concerning a UAS, that unit shall keep such copies for a period specified by the FAA rule, FAA regulation, contract, grant or award.
- C. If an AgriLife Research employee (or independent contractor hired by the department) is the PIC of a third party's UAS, the employee must obtain copies of the flight and maintenance records of that UAS, as well as any current flight records prior to the UAS operation. The employee's department/unit is responsible for maintaining these records for the period required by the applicable FAA rules and regulations.
- D. Departments/units in AgriLife Research must maintain all flight and maintenance records for any UAS that the department owns or operates.

2.0 UAS FLIGHT AUTHORIZATION REQUEST PROCESS

- 2.1 Approval must be obtained through the AgriLife UAS Supervising Authority prior to any UAS operations that meet the criteria outlined in this procedure.
- 2.2 Requests can be submitted electronically using the [A&M System Authorization Application](#).
 - A. The AgriLife UAS Supervising Authority will evaluate the operational risks and make a determination on whether insurance should be procured for the proposed operation. The responsible party is bound by all requirements outlined in the AgriLife UAS Supervising Authority approval document.
 - B. Operators who will fly over AgriLife Research facilities and property must notify local law enforcement with the following information at a minimum:
 - the FAA-issued registration number of the UAS;
 - where the UAS will operate; and
 - date and time period the UAS will be operating.
 - C. Operators planning to fly over AgriLife Research facilities and property must notify the nearest airport prior to flight. In the event that the Air Traffic Control Tower expresses a conflict with another planned flight, the operator will halt all activities until the conflict is resolved. Any direction given by the nearest airport supersedes instruction/approval from the AgriLife Supervising Authority.

- D. All operators are required to have contingency management and mishap response plans that provide the following, at a minimum:
- loss of control or connection to the unmanned aircraft, including loss of control link, loss of GPS, and loss of power,
 - actions on sighting of a piloted aircraft, and
 - actions upon a crash of the unmanned aircraft.
- E. Operation of a UAS by a third party or others over AgriLife Research property must be under a contract which holds AgriLife Research harmless from any resulting claims or harm to individuals; provides that the UAS operator is responsible for damage to AgriLife Research property; and provides that the UAS operator will obtain insurance as required by AgriLife Research.
- F. Contractors, third party vendors, and other third parties planning use of UAS over AgriLife Research property must abide by all provisions within this procedure.
- G. When operating a UAS for purposes of recording or transmitting visual images, operators must take all reasonable measures to avoid violations of areas normally considered private, and follow Texas laws as found in [Government Code Title 4 Subtitle B Chapter 423](#). Texas state law provides that a person who knowingly or intentionally captures an image of an individual or privately owned real property with the intent to conduct surveillance on the individual or property captured in the image commits a Class C misdemeanor.

3.0 VIOLATIONS

- 3.1 Any violations of this regulation by an AgriLife Research employee will be handled in accordance with applicable agency policies and procedures, which may include disciplinary action up to and including termination.
- 3.2 Legal remedies regarding physical presence on campus/trespassing may be pursued against contractors, third party vendors, hobbyists or other third parties that operate UAS in violation of this regulation.

RELATED STATUTES, POLICIES, OR REQUIREMENTS

[A&M System Regulation 24.01.07](#), *Unmanned Aircraft System*

[A&M System Regulation 24.01.01](#), *Risk Management Programs*

CONTACT OFFICE

For questions regarding this procedure, contact AgriLife Risk and Compliance at 979-862-2689.

DEFINITIONS

Definitions are in accordance with [A&M System Regulation 24.01.07](#), *Unmanned Aircraft System*

REVISION HISTORY

Approved: June 25, 2018

Next Scheduled Review: June 25, 2023