
Risk Management Perspective on Domestic Drones Part 1 of 5 - The Use and Operation of Drones

The use of drones, also referred to as unmanned aircraft systems (UAS), is becoming increasingly popular and affordable. Drones are small, unmanned, remotely operated aircraft. Drones provide inexpensive options for research, site inspections, search and rescue operations, crime scene investigations and aerial investigations. In addition to the swell in popularity, the drone industry is expected to create over 100,000 jobs in the next 10 years, according to the Association of Unmanned Vehicle Systems International. As a result of technological advances and recent actions from the Federal Aviation Administration (FAA), more and more public agencies and higher education institutions are considering the implementation of drone flight programs.

Local governments, higher education institutions and other public entities may operate drones upon receipt of a certificate of waiver or authorization (COA) from the FAA. The FAA has currently issued 79 COAs to public agencies and other organizations, including city, county and university law enforcement agencies as well as various state colleges and universities. The COA application process can be slow and cumbersome and not every COA application is approved by the FAA. A list of COA holders is available for review on the FAA website and the website also includes many resources, including guidelines for usage, frequently asked questions, regulations and policies.¹

Commercial use of drones is currently barred unless the FAA issues an exemption, the most common of which is known as a “Section 333 Exemption.” As of March 5, 2015, the FAA has granted 42 Section 333 Exemptions for operations including aerial inspections for insurance purposes (State Farm Mutual Automobile Insurance Company), development of economic platforms for aerial survey, law enforcement, first responders, search and rescue (LowCountryRD, corporation), bridge inspections (Asymmetric Technologies), flare stack inspections (Total Safety U.S.), precision agriculture (Viafield), and closed-set filming (multiple companies).² These commercial use exemptions enable local governments and law enforcement to skip the COA process and contract directly with third parties for the approved drone use.

1 https://www.faa.gov/uas/public_operations/foia_responses/ (updated as of March 5, 2015)

2 https://www.faa.gov/uas/legislative_programs/section_333/333_authorizations/ (last modified March 4, 2015)

Gallagher Public Sector