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States' Unmanned Aerial Vehicle Laws: *Ohio*



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States' Unmanned Aerial Vehicle Laws: Ohio

OH ST § 122.98

OAC 1501:3-2-16

OAC 3339-16-17

OAC 3341-6-50

OAC 3342-5-12.16

OAC 3356-4-44

OAC 3364-61-14

Current through November 17, 2022

OH ST § 122.98 Ohio Aerospace and Aviation Technology Committee

(A) There is hereby created the Ohio aerospace and aviation technology committee, consisting of the following members:

- (1) Three members of the senate, appointed by the president of the senate, not more than two of whom may be members of the same political party;
- (2) Three members of the house of representatives, appointed by the speaker of the house of representatives, not more than two of whom may be members of the same political party;
- (3) Fifteen members representing the aviation, aerospace, or technology industry, the military, or academia. One such member shall be appointed by the governor, and fourteen such members shall be appointed by majority vote of the six members representing the senate and house of representatives.

The legislative members of the committee shall be appointed not later than September 1, 2014, and the remaining members shall be appointed within ten days thereafter. The initial term of all members shall end on December 31, 2016. Thereafter, the term of all members shall end on the thirty-first day of December of the year following the year of appointment. Vacancies shall be filled in the manner of the original appointment.

The first legislator appointed to the committee by the speaker of the house of representatives after the effective date of H.B. 292 of the 130th general assembly, September 17, 2014, shall serve as the first chairperson of the committee and shall serve until December 31, 2016. Every general assembly thereafter, the committee shall select a chairperson from among its legislative members.

(B) The duties of the committee shall include, but are not limited to, all of the following:



- (1) Studying and developing comprehensive strategies to promote the aviation, aerospace, and technology industry throughout the state, including through the commercialization of aviation, aerospace, and technology products and ideas;
 - (2) Encouraging communication and resource-sharing among individuals and organizations involved in the aviation, aerospace, and technology industry, including business, the military, and academia;
 - (3) Promoting research and development in the aviation, aerospace, and technology industry, including research and development of unmanned aerial vehicles;
 - (4) Providing assistance related to military base realignment and closure.
- (C) The Ohio aerospace and aviation council shall serve as an advisory council to the committee.
- (D) The committee shall compile an annual report of its activities, findings, and recommendations and shall furnish a copy of the report to the governor, president of the senate, and speaker of the house of representatives not later than the thirty-first day of December of each year.

OAC 1501:3-2-16 Aviation

No person shall operate, take off, or ascend within or from the lands or waters administered by the division in any airplane, flying machine, balloon, glider, unmanned aerial vehicle, or other aerial apparatus except with the permission of the chief of the division or authorized agent. No person shall voluntarily bring, land or alight, within or upon the lands or waters administered by the division, in any airplane, flying machine, balloon, parachute, unmanned aerial vehicle, or other aerial apparatus except with the permission of the chief of the division or authorized agent.

OAC 3339-16-17 Unmanned Aircraft System (Drones and Model Aircraft) – Rule by Reference

The operation of small unmanned aircraft systems ("UAS"), including drones and model aircraft, on university property and in university airspace (collectively, "university property") is regulated by the federal aviation administration ("FAA") pursuant to 14 C.F.R. Part 107 ("Part 107") and 14 C.F.R. Part 101 ("Part 101"). This rule seeks to ensure compliance with those legal obligations, to protect privacy, and to reduce risks to safety and security.

This rule applies to the operation of all UASs on university property by all persons, including, without limitation, university faculty, employees, students, contractors, and visitors. This rule also applies to the operation of UASs on or above non-university property in support of university-sponsored or university-sanctioned activities.



(A) General requirements applicable to all UASs and all persons operating UASs on university property for any purpose

- (1) All UASs operated on university property must have a wingspan of six feet or less.
- (2) All UASs operated on university property must weigh less than fifty-five pounds at take-off.
- (3) If a UAS weighs more than fifty-five one-hundredths pounds, then it must be registered with the FAA. If a UAS is required to be registered, the FAA-issued registration number must be affixed to the UAS so that the registration number is clearly visible.
- (4) The B4UFLY smartphone application must be downloaded and utilized by all persons operating a UAS on university property. The B4UFLY application was created by the FAA to assist UAS operators determine whether there are any restrictions or requirements in effect at the location where they want to fly.
- (5) UAS operators must be at least eighteen years or older.
- (6) UAS operators that have obtained permission to operate a UAS on university property under this rule must notify and be registered with the Miami university police department at least twenty-four hours in advance of such operation.
- (7) Except for public entities (as defined below), any person that is not a university student or employee who wishes to operate a UAS on university property must enter into a written agreement with the university that, among other things, requires such person to:
 - (a) Hold the university harmless from any claims or harm to individuals caused by the persons operation of the UAS;
 - (b) Indemnify the university for any damages to property owned or used by the university that are caused by the persons operation of the UAS; and
 - (c) Obtain a liability insurance policy with at least one million dollars in liability coverage, and add the university as an additional insured under such insurance policy.
- (8) Any person wishing to operate a UAS on university property shall be personally responsible for complying with all university policies and all applicable state and federal laws. All persons operating a UAS on university property do so at their own risk.
- (9) No person may operate a UAS for purposes of recording or transmitting visual images unless such purpose is approved in writing by the associate provost for research (for university students and instructional staff) or by the director of environmental health and safety offices (for persons who are not university students or instructional staff). If such permission is given, an operator of a UAS equipped with a camera or videorecorder must take all reasonable measures to avoid violations of areas normally considered private, and such UAS may not be used to monitor or record areas where there is a reasonable expectation



of privacy in accordance with accepted social norms. These areas include, but are not limited to, restrooms, locker rooms, individual residential rooms, changing or dressing rooms, and health treatment rooms. No UAS shall be used to monitor or record residential hallways, residential lounges, or the insides of campus daycare facilities. No UAS shall be used to monitor or record sensitive institutional or personal information which may be found, for example, on an individuals workspaces, on computers or other electronic displays.

(B) Operation of UAS for recreational purposes or limited educational purposes
Persons operating a UAS as a hobby or for recreation are required to comply with all of the provisions of Sections 101.41 to 101.43 of Part 101. As used in this rule, the term "Recreational Purpose(s)" means the pursuit of an activity outside of ones regular occupation that is engaged in for fun, relaxation, or as a means of refreshment or diversion.

Generally, the operation of a UAS by university faculty, staff, or students in their official capacities will not qualify as a UAS operation for recreational purposes. However, a university students operation of a UAS under the following limited circumstances ("limited educational purpose(s)") will nevertheless qualify as an operation of a UAS under Part 101, and therefore be deemed an operation for recreational purposes: when a university students operation of a UAS is a component of the students science, technology, or aviation-related educational curricula; or when a university students operation of a UAS is a component of the students other coursework, such as television and film production or the arts. Note that student operation of a UAS will not qualify as a limited educational purpose if the UAS is operated in support of a faculty members research or other sponsored activity, or the student receives any form of compensation directly or incidentally related to the students operation of the UAS. University faculty may assist students who are operating a UAS for limited educational purposes, provided that the student maintains operational control of the UAS such that the faculty members manipulation of the UASs controls is incidental and secondary to the students (e.g. the faculty member steps in to regain control in the event a student begins to lose control of a UAS, to terminate a flight, etc.). In all other circumstances, faculty operation of a UAS does not qualify as a recreational purpose or limited educational purpose. For further explanation and examples of student uses of a UAS for limited educational purposes, please see the FAAs interpretive memorandum dated May 4, 2016, with the subject line "educational use of unmanned aircraft systems (UAS)."

(1) Any person wishing to operate a UAS for a recreational purpose or for a limited education purpose must comply with each of the following preflight requirements:

- (a) Submit a request in writing to the associate provost for research:
 - (i) Outlining the proposed flight schedule and proposed flight activity;
 - (ii) Identifying any person that will be operating a UAS on university property;
 - (iii) Providing the FAA registration number (if applicable);



- (iv) Providing the manufacturer and model number of the UAS to be operated;
 - (v) Providing all pertinent specifications of the UAS (e.g. weight, maximum range, maximum altitude, whether the UAS has dual controls, whether the UAS has "return home" programming, etc.); and
 - (vi) Indicating whether such UAS operation will involve recording or transmitting visual images.
- (b) Obtain the written permission of the associate provost for research as to the time, place, and manner of the proposed UAS operation.
- (c) UAS operations for a recreational purpose or for a limited educational purpose will be limited to the following areas (each an "authorized location"):
- (i) Chestnut fields (105 W. Chestnut Avenue, behind the parking lot).
 - (ii) Ditmar parking lot (behind Miami university police department and Ditmer parking lot).
 - (iii) Bonham field/Fryman parking lot
- (d) At the direction of the associate provost for research, a person wishing to operate a UAS for a recreational purpose or for a limited educational purpose must reserve an authorized location by contacting the director of special events at Miami recreation.
- (e) Once written permission has been obtained from the associate provost for research, provide advanced notice to all airport operators and airport air traffic control towers (if any) within a three-mile radius of the UAS flight path. Any notice should include the proposed flight path, flight date and time, and any information requested by such airport operators and airport air traffic control towers.
- (f) Persons operating a UAS on the university's Oxford campus must notify the Miami university airport and McCullough-Hyde memorial hospital.
- (2) Any person operating a UAS for recreational purposes or for limited educational purposes shall abide by the following operational requirements:
- (a) Operate the UAS strictly for a recreational purpose or for a limited educational purpose and not for instructional, research, work, compensation/hire, or any other business purpose.
 - (b) Comply with all applicable parts of Part 101 and operate the UAS in accordance with the safety code promulgated by the academy of model aeronautics; provided, that if there is a conflict between this rule and any requirements found in Part 101 or the safety code promulgated by the academy of model aeronautics, the requirements contained in this rule shall control.
 - (c) Review and understand all airspace restrictions that may apply to the operation of a UAS, including, without limitation, any temporary flight restrictions, and any restricted or special use airspace.
 - (d) Operate the UAS at or below two hundred feet. The associate provost for research may grant special permission to operate a UAS up to four hundred feet.



- (e) Operate the UAS at or below a ground speed of fifty miles per hour. The associate provost for research may grant special permission to operate a UAS at a ground speed up to one hundred miles per hour.
- (f) Operate the UAS at all times within the operator's line of sight without visual aids (such as binoculars, telescope, etc.).
- (g) Operate the UAS so as to never interfere with manned aircraft, and always yield the right of way to manned aircraft.
- (h) Operate the UAS in class G airspace as indicated by the B4UFLY application.
- (i) Avoid operating a UAS in highly populated areas, near high traffic areas, and near public thoroughfares.
- (j) Never operate a UAS:
 - (i) At night or in inclement weather;
 - (ii) From a moving vehicle;
 - (iii) Directly over any unprotected human being;
 - (iv) Over or within one hundred feet of stadiums, sports events, graduation commencement or other ceremonies, or emergency response efforts (e.g. fires, law enforcement activities, etc.).
 - (v) While under the influence of drugs or alcohol; or
 - (vi) Inside a building (unless specific permission for such activity is obtained from the associate provost for research).

(C) . General requirements applicable to all persons (other than public entities) operating UASs for any purpose other than for recreational purposes or limited educational purposes

Persons operating a UAS on university property for purposes other than recreational purposes or limited educational purposes are required to either obtain a COA from the FAA or comply with all of the provisions of Part 107. To operate a UAS under Part 107, a person must first pass an aeronautical knowledge test at an FAA-approved knowledge testing center; complete an application for a remote pilot certificate (FAA form 8710-13) and submit it to the FAA; and pass a TSA security background check. A person successfully completing these steps will be issued a remote pilot certificate from the FAA and be considered a "remote pilot in command" capable of operating a UAS for non-hobby or non-recreational purposes pursuant to Part 107.

Any person (other than a public entity) operating a UAS on university property for any purpose other than recreational purposes or limited educational purposes must:

- (1) Either possess a valid and unexpired remote pilot certificate issued by the FAA, or be under the direct supervision of a remote pilot in command with a valid and unexpired pilot certificate issued by the FAA (provided that the remote pilot in command is available and capable of immediately taking direct control of the UAS at any time during such operation); or possess a valid and unexpired COA issued by the FAA; and



(2) Operate the UAS pursuant to Part 107 or a valid and unexpired COA, and within any limitations set forth in the written permission issued under this rule.

(D) Operation of UASs by university faculty and university students for any purpose other than recreational purposes or limited educational purposes
Any university faculty member or university student wishing to operate a UAS on university property for any purpose other than recreational purposes or limited educational purposes must comply with each of the following requirements:

- (1) Submit a request in writing to the associate provost for research:
 - (a) Outlining the proposed flight schedule and proposed flight activity;
 - (b) Identifying any person that will be operating a UAS on university property;
 - (c) Providing the UAS registration number (if applicable);
 - (d) Providing the manufacturer and model number of the UAS to be operated;
 - (e) Providing all specifications of the UAS (e.g. weight, maximum range, maximum altitude, whether the UAS has dual controls, whether the UAS has "return home" programming, etc.); and
 - (f) Indicating whether such UAS operation will involve recording or transmitting visual images.
- (2) Provide the associate provost for research with a copy of either:
 - (a) The remote pilot in commands valid and unexpired remote pilot certificate, and a list of any operational waivers the remote pilot in command has received from the FAA; or
 - (b) A copy of the valid and unexpired COA.
- (3) Obtain the written permission of the associate provost for research as to the time, place, and manner of the proposed UAS operation.

(E) Operation of UASs for other business purposes
Any university employee that is not a university faculty member; all governmental entities, law enforcement agencies, and public safety agencies (collectively, "Public Entities"); and any other person wishing to operate a UAS on university property for compensation, hire, or any other business purpose shall comply with each of the following requirements:

- (1) Submit a request in writing to the director of health and safety offices:
 - (a) Outlining the proposed flight schedule and proposed flight activity;
 - (b) Identifying any person that will be operating a UAS on university property;
 - (c) Providing the UAS registration number (if applicable);
 - (d) Providing the manufacturer and model number of the UAS to be operated;
 - (e) Providing all specifications of the UAS (e.g. weight, maximum range, maximum altitude, whether the UAS has dual controls, whether the UAS has "return home" programming, etc.); and
 - (f) Indicating whether such UAS operation will involve recording or transmitting visual images; provided, that none of the requirements



contained in the immediately preceding sentence will apply to the operation of a UAS by public entities during an emergency.

(2) Provide the director of health and safety offices with a copy of either:

(a) The remote pilot in commands valid and unexpired remote pilot certificate, and a list of any operational waivers the remote pilot in command has received from the FAA; or

(b) A copy of the valid and unexpired COA.

(3) Obtain the written permission of the director of health and safety offices as to the time, place, and manner of the proposed UAS operation.

(F) Sanctions

Any violations of university policies by an individual will be dealt with in accordance with applicable university policies and procedures, which may include disciplinary actions up to and including termination from the university. Legal prohibitions regarding physical presence on campus/trespassing and other legal action may also be pursued against third parties that operate UAS in violation of this rule. Fines or damages incurred by individuals or units that do not comply with this rule will not be paid by the university and will be the responsibility of those persons involved.

OAC 3341-6-50 Unmanned Aircraft Systems (Drones and Model Aircraft) – Rule by Reference

(A) Policy statement and purpose

The operation of unmanned aircraft systems (UAS) including drones and model aircraft, is regulated by the federal aviation administration (FAA) and relevant state law. Bowling Green state university (BGSU) seeks to permit UAS to be utilized productively in a manner that fully meets institutional, legal, public safety, and ethical responsibilities. Operation of a UAS on or over university property, and the use of university owned UAS, will comply with this policy.

(B) Policy definitions

Unmanned aircraft system (UAS): any remotely operated or controlled aircraft intended to fly within the national airspace system. Includes devices commonly referred to as drones and may also include communications, support, and navigational equipment. FAA regulations apply to all types of UAS regardless of weight or size.

University property: buildings, grounds, and land that are owned by Bowling Green state university, or controlled by Bowling Green state university via lease or other contractual agreement.

Certificate of authorization (COA) or waiver: a certificate granted to an individual or entity by the FAA for a specific aircraft for a specific activity for a specific location.

333 Exemption: an FAA exemption under section 333 of the Modernization and Reform Act of 2012 which grants an individual or



entity the ability to operate a UAS for civil and non-governmental purposes and activities, other than recreational and hobbyist activity.

Model aircraft: an unmanned aircraft system that is 1) flown for hobby or recreational purposes as defined in the FAA Modernization and Reform Act of 2012; 2) capable of sustained flight in the atmosphere; and 3) flown within visual line of sight of the operator.

Operator: pilot or individual who is controlling, maneuvering, or commanding a UAS.

(C) Policy scope

This policy applies to:

- (1) Employees and students operating UAS in any location as part of their university employment or as part of university academic/research program;
- (2) The operation by any person of UAS on or above BGSU property;
- (3) The purchase and operation of UAS with funding through the university, including grants and foundation accounts; and
- (4) The hiring or contracting for any UAS services with an outside vendor

This policy does not apply to use by law enforcement in the scope of their duties.

(D) Policy

UAS use for the purpose of this policy will fall into one of three categories as defined by the FAA: government use (BGSU-owned), commercial use (contracted vendor), and private/hobbyist use (on or above university property). Each category requires the UAS operator to follow different procedures before UAS use. The following requirements govern the use of UAS within the scope identified in this policy.

- (1) Any individual or group, including employees, students and contracted vendors, seeking to operate a UAS on university property, or anywhere on behalf of BGSU, is responsible for obtaining all required documentation and approvals for compliance with FAA regulations, federal and state laws, and university policies.
- (2) The university's office of risk management, in conjunction with BGSU police, shall be responsible for university policy, approvals, and instructions regarding UAS use on or above university property, and for UAS use pursuant to university employment and academic/research programs.
- (3) Private/hobbyist use of UAS and model aircraft on or above university property is not permitted.
- (4) Government and commercial use on or above university property, or elsewhere on behalf of the university, must be approved in advance through the office of risk management to ensure compliance and insurance coverage.
- (5) UAS shall be operated in a responsible manner and shall not create a hazard to university property, the university community, or the public at any time.



(6) In 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 the unauthorized interception or recordings of images, electronic communications, and electronic data.

(E) Violation and accountability

Individuals that violate this policy will be subject to corrective action procedures as defined in the appropriate employee handbook, collective bargaining agreement, student code of conduct, federal, state, and local laws, or as per the Revised Code.

OAC 3342-5-12.16 Administrative Policy Regarding Unmanned Aircraft Systems – Rule by Reference

(A) Purpose. This policy supports the safety and privacy of the university community by establishing restrictions and enabling the enforcement of applicable rules and regulations controlling the use of unmanned aircraft systems (UAS), popularly referred to as drones, and model aircraft. It applies to all university employees and students, and to third parties operating on university grounds.

(B) Definitions. For the purposes of this policy, the following definitions will apply:

(1) Model aircraft. The term "model aircraft" means an unmanned aircraft that is:

- (a) capable of sustained flight in the atmosphere;
- (b) flown within visual line of sight of the person operating the aircraft; and
- (c) flown for hobby or recreational purposes.

(2) Operator. The term "operator" means the person who is controlling, maneuvering, or commanding the aircraft.

(3) Small unmanned aerial vehicle. The term "small unmanned aerial vehicle" means an unmanned aerial vehicle weighing less than fifty-five pounds.

(4) Unmanned aerial vehicle. The term "unmanned aerial vehicle" means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

(5) Unmanned aircraft system (UAS). The term "unmanned aircraft system" means an unmanned aerial vehicle and associated elements (including communication links and the components that control the unmanned aerial vehicle) that are required for the pilot in command to operate safely and efficiently in the national airspace system.

(C) Scope. This policy applies to any UAS or model aircraft operated by: (1) university employees and students operating in any location as part of their university employment, course instruction, or other official university activities; (2) any person or entity operating on or above university property, whether owned or leased. (3) any university department wishing to rent, lease, or purchase a UAS for university business or educational purposes, or is contracting with a third party to provide such services.

(D) Operating requirements.



- (1) All operation of UAS or model aircraft by university community members, or by third parties on or above university property, must comply with FAA regulations and local, state, and federal laws regarding use of UAS. Any operation or use that violates such regulations or laws is prohibited. It is the responsibility of the operator to adhere to all relevant laws and regulations, including relevant university policies and procedures.
- (a) All operators of UAS, also commonly referred to as the pilot in control or "PIC," must hold valid, unexpired registration with the FAA, unless otherwise exempt from such registration.
 - (b) PIC shall provide any and all notifications as required by FAA regulations and/or university policies and procedures prior to the commencement of flight operations. Such notification may include, but are not limited to:
 - (i) Notification as may be required by the FAA to all airports within a 5-mile radius of the intended area of operation; and
 - (ii) Notification to the department of public safety prior to flight operations on the Kent campus when an exception is granted in accordance with paragraph (F) of this rule.
- (2) Aircraft may not exceed the size and weight specifications established by the University.
- (3) UAS operations on or above university property are only permitted in areas designated and approved by the office of risk management and compliance, unless an exception is granted in accordance with paragraph (F) of this rule. Such designated areas shall be posted in a publicly assessable manner.
- (4) All operators of UAS must minimize risks to other aircraft and people and property on the ground. If such risks cannot be effectively minimized, then any such operation under this policy is prohibited.
- (a) All operators must stay within a line of sight of the UAS.
 - (b) The UAS must remain at least fifty feet away from any student walkway or path.
 - (c) The UAS must remain at least two hundred feet from any building or structure on university property.
 - (d) The UAS must remain at least one hundred feet away from parking lots or roadways.
 - (e) All operators are prohibited from any UAS operations on or above Kent state university airport property and the Dix stadium sports complex.
- (5) UAS or model aircraft shall not be used to monitor or record sensitive institutional or personal information.
- (6) UAS and model aircraft shall not be used to monitor or record an area where there is a reasonable expectation of privacy in accordance with accepted social norms.
- (E) Compliance and enforcement. The office of risk management and compliance is responsible for the administration of this policy, in coordination with other university departments and resources as necessary. The department of



public safety is responsible for enforcement of this policy to the extent that such enforcement is related to safety and security.

(1) Persons operating UAS or model aircraft on campus in violation of this policy are trespassers and may be subject to administrative or legal action including, but not limited to, being removed from campus and receiving a written directive to remain off campus.

(2) Contractors and vendors shall comply with this policy and associated procedures. The contracting university department shall be responsible for ensuring contractors and vendors are aware of this compliance obligation.

(3) Student violations may be addressed in accordance with the student code of conduct provided for in rules 3342-4-02 and 3342-4-02.1 of the Administrative Code, as well as other applicable policies, and may include sanctions up to and including suspension or dismissal.

(4) Employee violations may be resolved in accordance with university policies, including sanctions up to and including termination.

(5) Violators of local, state, and federal laws and regulations may be referred to the appropriate law enforcement agencies.

(F) Implementation. The senior vice president for finance and administration, or designee, is responsible for the adoption of written procedures necessary for the effective administration and implementation of UAS activities at Kent state university. Any exception to this rule or any written procedures regarding UAS must be approved by the senior vice president for finance and administration.

OAC 3356-4-44 Unmanned Aircraft (Drones and Model Aircraft)

(A) Policy statement. The operation of unmanned aircraft systems (“UAS”), including drones and model aircraft, is regulated by the federal aviation administration (“FAA”) and relevant state law. Youngstown state university (“university”) seeks to permit UAS’s to be utilized productively in a manner that fully meets institutional, legal, public safety, and ethical responsibilities.

(B) Purpose. To provide direction to anyone seeking to operate a UAS or model aircraft on or above university property or as part of university employment or university activities.

(C) Scope. This policy applies to:

(1) Employees, students, and student groups operating UAS’s in any location as part of their university employment or as part of university activities;

(2) The operation by any person of UAS’s or model aircraft on or above Youngstown state university property;

(3) The purchase of UAS’s with funding through the university, including university accounts, grants, or Youngstown state university foundation accounts; and

(4) The hiring or contracting for any UAS services by a university department, office, or unit.



(D) Definitions.

(1) “University property.” Buildings, grounds, and land that are owned, leased, licensed or otherwise controlled by the university, including but not limited to any university air rights recognized by federal or state law.

(2) “Unmanned aircraft system (UAS), unmanned aircraft (UA), or drone.” Any unmanned aerial vehicle and all of the associated support equipment, control station, data links, telemetry, communications, and equipment necessary to operate the unmanned aerial vehicle from a distance of more than one foot via tether or remote control, including but not limited to drones, planes, model aircraft, helicopters, blimps, balloons, or kites. For purposes of this policy, collectively referred to as UAS.

(3) “Certificate of authorization (COA) or waiver.” An authorization issued by the air traffic organization (“ATO”) of the FAA to an operator for a specific UAS activity. A certificate of authorization may contain provisions or limitations to ensure the UAS can operate safely with other airspace users.

(4) “333 exemption.” An FAA exemption based on section 333 of the FAA Modernization and Reform Act of 2012 (“FMRA”) which grants the secretary of transportation the authority to determine whether an airworthiness certificate is required for a UAS to operate safely in the national airspace system.

(5) “Model aircraft.” Equipment used only for hobby and recreation purposes and not for commercial purposes.

(6) “Operator.” The pilot or individual who is controlling, maneuvering, or commanding a drone, unmanned aircraft, unmanned aircraft system, or model aircraft.

(E) Procedures.

(1) Any individual or group, including university employees, students and student groups, seeking to operate a model aircraft or UAS on university property is responsible for obtaining all required documentation and approvals for compliance with FAA regulations, state and federal laws and university policies. This policy applies to YSU operations both on and off campus.

(2) The university’s office of environmental and occupational health and safety (“EOHS”) shall be responsible for university procedures, approvals, and instructions regarding UAS and model aircraft operation on university property and for UAS operation pursuant to university employment or university activities. Operators should contact EOHS for applicable forms and procedures.

a. Operator must request prior approval from the EOHS at least two weeks in advance of the proposed use of the UAS using the YSU UAS (drone) use application. Approval will



require submission of a flight plan, including date, time, and duration of flight, as well as the operational area.

b. Operator must possess a copy of the approved YSU UAS operations application at all times during flight activity and present to YSUPD or university representatives upon request.

c. If required, operator must obtain and provide a copy of the FAA authorization to operate a UAS. Instructions for seeking FAA approval and safe operation information are available at www.faa.org/uas and knowbeforeyoufly.org.

d. UAS must only be operated by an employee as part of their employment or student as part of an academic/research program.

(3) Any use of UAS or model aircraft over university property other than by university students, employees, or vendors, as part of university employment or activities, is only allowed after receiving written approval from the EOHS, and is only permitted pursuant to a written agreement which holds the university harmless from any resulting claims or harm to individuals and damage to university property and provides proof of insurance as required by EOHS.

(4) If UAS's are being used to obtain photos, video, or sound for non-university commercial purposes, university commercial use policies must also be followed. In addition to all other requirements, permission for such use must be granted in writing from the office of marketing and communications.

(5) UAS's shall be operated in a responsible manner and shall not create a hazard to university owned or controlled property, the university community, or the public at any time, and shall not be operated in a way that disrupts instruction or unduly affects the environment of people in or passing through a common space, those working or studying within a building, or those entering, exiting or otherwise making their way about a facility.

(a) UAS may not operate over areas of assembly, stadium, or populated areas without specific, prior approval from EOHS.

(6) In 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 the unauthorized interception or recording of images, electronic communications and electronic data.

(7) Any person who observes the use of any UAS or model aircraft on university property should immediately notify the university police department at 330-941-3527.

(8) UAS purchase must be coordinated with YSU procurement to ensure purchasing compliance, compliance with export controls,



and weight and wingspan limits for insurance coverage.

(9) YSU-owned UAS must be securely stored when not in use and a checkout log maintained when UAS is in use.

(10) Because the YSU campus is near the Youngstown/Warren regional airport, notification may be required.

(F) Prohibited uses.

(1) UAS's and model aircraft shall not be used to monitor or record areas where there is a reasonable expectation of privacy in accordance with university policy and social norms. These areas include but are not limited to restrooms, locker rooms, individual residential rooms, changing or dressing rooms, and healthcare rooms.

(2) UAS's and model aircraft shall not be used to monitor the inside of university facilities, including but not limited to campus daycare facilities.

(3) UAS's and model aircraft shall not be used to monitor or record sensitive or personal information that may be found, for example, in an individual's workspaces, on computer, or other electronic displays.

(G) Violations.

(1) Any violations of this policy will be dealt with in accordance with applicable university policies and procedures, which may include disciplinary actions up to and including termination from the university for employees and sanctions for students up to and including expulsion from the university.

(2) Legal prohibitions regarding physical presence on campus, such as trespass, and other legal action may also be pursued against third parties that operate a UAS or model aircraft in violation of this policy.

(3) Fines or damages incurred by individuals or units that do not comply with this policy will not be paid by the university and will be the responsibility of those persons involved.

OAC 3364-61-14 Unmanned Aircraft Systems (“UAS”) and Model Aircraft – Rule by Reference

(A) Policy statement

All operation and use of unmanned aircraft systems (“UAS”) and model aircraft on or above university property must be preapproved by the university and in compliance with the rules of operation set forth below, including associated procedures promulgated pursuant to the authority of this rule. See section (G) for link to form requesting pre-approval.

(B) Purpose of policy

(1) Reasonably mitigate public safety risks to individuals and organizations potentially affected by “UAS” or model aircraft



- operations;
- (2) Ensure compliance with federal, state, and local laws and university liability insurance provisions; and
 - (3) Meet institutional regulations and ethical responsibilities with respect to privacy.
- (C) Scope
- Any individual who operates or wishes to operate “UAS” or model aircraft on or above university property.
- (D) Operation
- All operation and use of unmanned aircraft systems (“UAS”) and model aircraft on or above university property must comply with federal aviation administration (“FAA”) regulations, and any local, state and federal laws. Any operation or use violating such regulations and laws is prohibited. It is the responsibility of the operator to ensure compliance with all applicable laws.
- (E) Enforcement and penalties
- (1) Any person operating a “UAS” or model aircraft on university property without an approved request form; in violation of their “FAA” approved status or any federal, state or local law; or, in violation of university rules or policies, may be advised by university police or any university representative with control or jurisdiction over the activity to cease operation immediately until appropriate approval is received.
 - (2) Student violations may be addressed in accordance with the code of student conduct, as well as other applicable rules and policies and may include sanctions, up to and including expulsion.
 - (3) Employee violations may be resolved in accordance with university disciplinary rules and policies, up to and including termination.
 - (4) Any violators of local, state and federal laws and regulations may be addressed by appropriate law enforcement or “FAA” authorities.
- (F) Definitions
- (1) University property: buildings, grounds and land owned by the university of Toledo or controlled by the university of Toledo via leases or other formal contractual arrangements for university activities.
 - (2) Unmanned aircraft system (“UAS”): “UAS” is also known as unmanned aerial vehicle (“UAV”) or may be characterized as a drone. UAS is an unmanned aircraft and all of the associated support equipment, control station, data links, telemetry, communications and navigations equipment, etc. necessary to operate the unmanned aircraft safely in the national airspace system.
- (G) Link to unmanned aircraft systems (“UAS”) Procedure
Link to pre-approval form

