


LDH UNMANNED AIRCRAFT SYSTEMS (UAS)

	Louisiana Department of Health (LDH)	
	Policy Number	144.1
	Content	LDH Policy for Unmanned Aircraft Systems
	Effective Date	January 11, 2023
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LDH is committed to fostering, cultivating and preserving a culture of equity, diversity and inclusion. Our human capital is the most valuable asset we have. The collective sum of the individual differences, life experiences, knowledge, inventiveness, innovation, self-expression, unique capabilities and talent that our employees invest in their work represents a significant part of not only our culture, but our Department’s reputation and achievement as well.

If there is a discrepancy between an LDH Policy and a Program Office or facility policy, the LDH policy shall govern/overrule/supersede the conflicting section within the Program Office or facility policy.

I. POLICY STATEMENT

The Louisiana Department of Health (LDH) shall adhere to all federal and state laws and regulations pertaining to the operation of unmanned aircraft systems (UAS), including 14 CFR 107 and LA R.S. 14:337 and any subsequently enacted laws and amendments. LDH is committed to reducing and/or eliminating unnecessary risk to LDH, LDH employees, and the public.

II. PURPOSE

To establish requirements for the safe operation of UAS, also referred to as “drones,” within the LDH.

III. APPLICABILITY

This policy applies to the operation of all LDH-owned and LDH-leased UAS, operated by LDH employees and/or contractors.

IV. DEFINITIONS

- A. **Federal Aviation Administration (FAA):** The division of the Department of Transportation that inspects and rates civilian aircraft and pilots, enforces the rules of air safety, and installs and maintains air-navigation and traffic-control facilities.
- B. **Local Restrictions:** Locations where unmanned aircraft system takeoffs and landings are restricted by state, local, territorial, or tribal government agencies. The FAA has provided “No Drone Zone” sign that can be used by these governments to identify areas where there are local flight restrictions. It is important to note, these No Drone Zones only restrict taking off or landing and do not restrict flight in the airspace above the identified area.
- C. **Restricted Areas:** The FAA prohibits unmanned aircraft systems over certain areas of airspace.
- D. **Temporary Flight Restrictions (TFRs):** A certain area of airspace where air travel is limited for a period and may be in place for different reasons. The FAA may use the term “No Drone Zone” to identify an area where there is a TFR. Examples include, major sporting events, presidential movements, or in security sensitive areas designated by federal agencies. Restriction details of the TFR include, size, altitude, date/time, and

what types of operations are restricted and permitted. All pilots are required to adhere to the restrictions of the TFR.

- E. **Unmanned Aircraft System (UAS) Device:** An unmanned aircraft, also called a “drone,” and all of the associated support equipment, control stations, data links, telemetry, communication and navigation equipment, etc., necessary to operate the unmanned aircraft. The Federal Aviation Administration (FAA) regulations, 14 CFR 107, apply to all UAS weighing less than 55 pounds.
- F. **LDH UAS Operator:** An LDH Employee or licensed contractor authorized to fly a UAS device for commercial (i.e. work related) purposes. Commercial UAS operators must be licensed to operate per FAA regulations.

V. REQUIREMENTS

A. LDH UAS Operators

1. If an employee or contractor is assigned an LDH UAS device, he can fly for official state business by following the 14 CFR Part 107 guidelines. To fly under Part 107 rules, the employee or contractor shall obtain a Remote Pilot Certificate from the Federal Aviation Administration (FAA) prior to any use of LDH UAS device.
2. All Remote Pilot Certifications and/or copies shall be:
 - a. Maintained on the LDH UAS operator when flying an LDH UAS device for official state business;
 - b. Maintained in the field/regional office where the LDH UAS device is being stored for safety audit purposes; and
 - c. Forwarded to the LDH Safety Coordinator/Director.

B. LDH UAS Devices

1. All LDH UAS Devices shall be registered with the FAA. The make and model of each UAS device is required in order to register online. For any LDH UAS device that is greater than 55lbs, LDH agencies shall register using the paper form located on the FAA website.
2. All LDH UAS FAA device registrations and/or copies shall be:
 - a. Maintained with the LDH UAS device in each Flight Log Book;
 - b. Maintained in the field/regional office where the LDH UAS is being stored for safety audit purposes; and

- c. Forwarded to the LDH Safety Coordinator/Director.
3. LDH UAS Devices shall have a Flight Log Book assigned to each with UAS Flight Log Sheets readily available for the LDH UAS Operator to complete the following:
 - a. Mission Checklist,
 - b. Launch Site Checklist,
 - c. Equipment Checklist,
 - d. Pre-Flight Checklist,
 - e. Take-Off Checklist, and
 - f. Post Flight Checklist
4. All LDH UAS Device Flight Log Book records/logs shall be maintained by the agency for 5 years.

VI. RESPONSIBILITIES

- A. LDH UAS Operators shall conduct flights only for official state business and only as authorized by the LDH, State of Louisiana, and the FAA.
- B. LDH UAS Operators shall be knowledgeable of federal, state, and local regulations applicable to the LDH UAS device operations. This includes, but is not limited to, regulations contained in 14 CFR 107, LA R.S. 14:337, and any applicable FAA memorandums or advisory circulars.
- C. No LDH UAS operation shall occur in restricted airspace, in local/parish restricted locations, or in temporary flight restricted airspace. It shall be the responsibility of the LDH UAS Operator to contact the parish/local governing entity prior to the planned operation to obtain necessary permission(s).
- D. It shall be the LDH UAS Operator's responsibility to ensure the local/parish governing entity contacts their local air traffic control tower to ensure flight plan approval, prior to granting permission for LDH UAS operation.
- E. The LDH agency property manager shall be notified of each UAS and maintain it in the state's inventory system.
- F. Any violation of this policy and/or applicable federal, state, and local regulations by an LDH UAS Operator may result in corrective or disciplinary action.

VII. GENERAL PROCEDURES

- A. LDH UAS Operators shall always keep safety in mind, particularly the risk of injury to people and damage to property. The following procedures shall be followed at all times:

1. LDH UAS Operator should be aware of potential failure modes for their system (battery failure, wind/weather conditions, control signal loss, etc.) and plan to conduct operations to minimize the risk to persons and property with these events in mind. LDH UAS Operator should test, to the extent reasonably possible, the function of built-in safety features.
 2. LDH UAS Operators should establish/keep detailed and thorough checklists for all necessary pre-flight/flight/post-flight procedures and highlight important safety events.
 3. LDH agencies and/or Safety Coordinator shall ensure all requirement(s) are met of LDH UAS Operators prior to use of any LDH UAS device and completed documentation is maintained for audit purposes.
 4. LDH UAS devices operated by the agency shall be marked with "State of Louisiana Department of Health Official Use Only."
 5. LDH UAS devices shall only be flown during the course of the LDH UAS Operator's daylight business hours (i.e. 8AM-430PM), or emergency events as assigned, in weather conducive of flying.
 6. LDH UAS devices must remain within visual range of the LDH UAS Operator, not to exceed one quarter mile over inhabited areas.
 7. All LDH UAS devices must yield right of way to manned aircraft only if a waiver was approved by the FAA.
 8. No LDH UAS device shall be flown from a moving vehicle.
 9. LDH UAS Operators shall complete the Mission Flight Log for each daily use (i.e. fill out one mission log for 2 flights in one day)
 10. Altitude limitations set by the FAA and communicated to the LDH UAS Operator during the approval process must not be exceeded. At no time will any LDH UAS device be flown in excess of 400 feet of altitude.
- B. LDH UAS devices shall not be used to take photos or videos of person(s) or property without prior approval and/or permission of the person(s) involved. LDH UAS devices shall not be used to monitor or record in areas where there is a reasonable expectation of privacy. These areas include, but are not limited to; public restrooms, private homes, apartments, child care centers, prisons, and medical treatment facilities.
- C. Permission should be requested and received before entering private property to recover a downed LDH UAS device.

VIII. ACCIDENTS/INCIDENTS

- A. The LDH UAS Operator is required to report all accidents immediately, but no later than 10 days.
1. LDH UAS Operators shall complete the LDH Aircraft Incident/Accident Statement Report for all UAS Accidents/Incidents and submit the

completed report to their immediate supervisor, LDH Safety Coordinator/Director, and agency appointing authority.

- a. LDH Safety Coordinator/Director shall include the report with annual safety related audit documents.
 - b. LDH shall report any damage to property (other than the UAS) in excess of \$500 to repair or replace the property (whichever is lower)
- B. LDH UAS Operators shall utilize the National Aeronautics and Space Administration (NASA) Aviation Safety Reporting System (NASA ASRS) to report any close calls, hazard violations, and safety related incidents and shall notify their immediate supervisor, LDH Safety Coordinator/Director, and agency appointing authority.
1. The FAA's ASRP enables a non-punitive avenue for anonymous reporting. When filing a report with NASA's ASRS, the FAA considers it to be evidence of a constructive attitude. Therefore, even if a finding of a violation is made, a civil penalty or certificate suspension will not be imposed as long as:
 - a. The violation was inadvertent and not deliberate;
 - b. The violation did not involve a criminal offense, accident, or action under 49 U.S.C. § 44709, which discloses a lack of qualification or competency, which is wholly excluded from this policy;
 - c. The person has not been found in any prior FAA enforcement action to have committed a violation of 49 U.S.C. subtitle VII, or any regulation promulgated there for a period of 5 years prior to the date of occurrence; and
 - d. The person proves that, within 10 days after the violation, or date when the person became aware or should have been aware of the violation, he or she completed and delivered or mailed a written report of the incident or occurrence to NASA.
- C. If the LDH UAS Operator is involved in a UAS accident/incident that takes place between the time that the system is activated with the purpose of flight and the time that the system is deactivated at the conclusion of its mission, the nearest field office of the National Transportation and Safety Board (NTSB) shall be contacted to file a report when either of the following occurs:
1. Any person suffers death or serious injury; or
 2. The aircraft holds an airworthiness certificate and sustains substantial damage.

IX. WAIVERS

A waiver is an official document issued by the FAA which approves certain operations of aircraft outside the limitations of a regulation. Upon approval of their agency appointing authority, the LDH UAS Operators may request an operational waiver to fly specific LDH UAS operations not allowed under 14 CFR Part 107. These waivers allow the LDH UAS Operator to deviate from certain rules under part 107 by demonstrating they can still fly safely using alternative methods.

Some UAS operations will require a waiver to 14 CFR Part 107 rules. Here are the regulations specified that are subject to waiver:

- [Operation from a moving vehicle or aircraft - §107.25](#)
- [Operation at Night - §107.29\(a\)\(2\) and \(b\)](#)
- [Visual line of sight aircraft operation - §107.31](#)
- [Visual observer - §107.33](#)
- [Operation of multiple small unmanned aircraft systems - §107.35](#)
- [Yielding the right of way - §107.37\(a\)](#)
- [Operation over human beings - §107.39](#)
- [Operation in certain airspace - §107.41](#)
- [Operating limitations for small unmanned aircraft - §107.51](#)
- [Operations Over Moving Vehicles - §107.145](#)

X. NONCOMPLIANCE

The LDH has the right to immediately terminate the operation of a LDH UAS if it interferes with operations, poses hazards to any person or facility, equipment, or other property, or has not received the proper approvals as required by federal, state, and local laws as well as this policy. Failure to comply with this policy, a UAS approved flight plan, or regional, state, or federal law may result in a decision of non-compliance. Non-compliance may lead to disciplinary action.

XI. VIOLATIONS

Violations of this policy may result in corrective action or disciplinary action. Corrective action includes Improvement Letters (Civil Service Rule 12.9). Disciplinary actions are Suspension without Pay, Reduction in Pay, Involuntary Demotion and Dismissal (Civil Service Rule 12.3). Any corrective or disciplinary action taken is at the sole discretion of the Appointing Authority.

XII. REVISION HISTORY

Date	Revision
January 11, 2023	Policy created