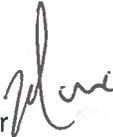




MEMO

February 6, 2020

To: Senior Leadership

From: Marc D. Williams, P.E. 
Deputy Executive Director

William L. Hale, P.E. 
Chief Engineer

Subject: Unmanned Aircraft Systems' Flight Operations – Extension of Interim Policy Guidance

The Interim Policy Guidance for operation of Unmanned Aircraft Systems (UAS) established in the Memo dated July 30, 2019 is extended until July 31, 2020. This guidance covers departmental operation of UAS, and UAS use by contractors and other approved service providers conducting official business on behalf of the Texas Department of Transportation (TxDOT).

All operations shall be conducted in accordance with Federal Aviation Administration Regulations (FARs) and any other applicable Federal and State regulations. A draft [UAS Flight Operations and User's Manual](#) (FOM) has been prepared by the Aviation Division's Flight Support Services Section (FSS) to serve as guidance for UAS operations, with the following interim modifications:

Contractors and Other Approved Service Providers Use of UAS

- UAS flights of a **routine** nature which remain entirely over TxDOT controlled right of way, do not overfly active roadways, pass under overhead utility lines or bridges, or meet any condition requiring pre-approval as described in Section 2.2 (Project Risk Assessment) of the FOM, shall be approved by the applicable District Engineer, and a flight plan shall be filed with the Aviation Division Director or their designee (in accordance with the FOM).
- Flights with an **increased level of risk**, per Section 2.2 of the FOM, require approval of the applicable District Engineer, and **concurrence** of the flight plan by the Aviation Division Director or their designee. Efforts will be made to expedite these requests, but non-routine flights will require an additional level of review and certification prior to approval.
- Any contract including the use of UAS shall include the following or similar language: *"The use of Unmanned Aircraft Systems (UAS) is regulated by the Federal Aviation Administration (FAA). The Remote Pilot in Command (RPIC) must possess a current FAA Remote Pilot Certificate (14 CFR Part 107) and be sufficiently trained, capable, and competent to operate the type of system in the environment in which it is to be operated. The RPIC shall be responsible for the safe conduct of the UAS flight. Visual Observer(s) as required shall be familiar with UAS operations and in positive two-way communication with the RPIC. Additionally, operators shall comply with the general safety protocols established in the Texas Department of Transportation's Flight Operations Manual."*

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TxDOT Employee Use of UAS

As noted, the above provisions apply to UAS use by contractors and other approved service providers. TxDOT employees wishing to operate UAS shall comply with all provisions set forth in the FOM, on a case-by-case basis as approved by the Executive Director, upon approval by TxDOT's Aviation Division Director and the applicable TxDOT Administration Chief.

You and your staff are encouraged to review the FOM and other information regarding UAS services at the following: <https://www.txdot.gov/inside-txdot/division/aviation/sharing/uas-services.html>. This interim policy guidance will be reviewed after six months.

If you have additional questions, please contact Dan Harmon at (512) 486-5600 or via e-mail at Dan.Harmon@txdot.gov.