DRAFT City Unmanned Aerial Systems Procedures Handbook

City of San José

A. Purpose

The City Unmanned Aerial Systems Procedures Handbook (Handbook) provides guidelines for the use of Unmanned Aircraft Systems (UASs), commonly referred to as "drones," by City of San José Departments ("Departments") and contractors and agents acting on behalf of the City of San José (City) pursuant to a contract. The Handbook serves as an extension of the Unmanned Aerial System Policy located in the City Administration Policy 1.7.X. The Handbook defines the requirements and provides instructions on how this technology may be used for legitimate City purposes in accordance with the Unmanned Aerial System Policy and applicable law. The scope and contents of this handbook will be updated as new capabilities become available, laws and regulations update, and as Department needs change. Local, State, and Federal laws and regulations, including the City's Unmanned Aerial Systems Policy and the applicable UAS policies for Fire and Police, supersede any statements made in this Handbook.

B. General Statement

All UAS deployments, use, collection, and storage of any digital multimedia evidence (audio and video data) originating from the use of the UAS, shall comply with applicable law, the Unmanned Aerial System Policy, this Handbook, and the City of San José Record Retention Schedule.[1] Additional drone guidance for the City and the public can be found on the Federal Aviation Association's (FAA) website.[2]

C. Exceptions

An exception to the Unmanned Aerial System Policy and this Handbook may be granted to a City Department that receives approval for a stand-alone UAS from the City Manager. Compliance with all local, state, and federal laws still apply.[3,4]

D. Definitions

1. Above Ground Level (AGL)
   The altitude expressed in the number of feet measured above the ground.

2. Certificate of Authorization (COA)
   Permission granted by the FAA for a public safety agency to fly a UAS outside of specific boundaries and parameters normally reserved for private or commercial use.

3. Crew Readiness
   The availability and readiness of the Remote Pilot in Command (RPIC) and Visual Observer (VO) to deploy for UAS operations given their knowledge and completion of preflight duties.

[1] City records retention schedule: https://www.sanjoseca.gov/your-government/Departments-offices/office-of-the-city-manager/official-city-records/records-retention-schedule
[2] FAA guidance for public safety: https://www.faa.gov/uas/public_safety_gov ; guidance for general public: https://faadronezone-access.faa.gov/#/
[3] San José Police Department Drone portal and policy: https://www.sjpd.org/records/uas-deployments
[4] San José Fire Department Drone policy: https://www.sanjoseca.gov/home/showdocument?id=93519&t=638089705155870000

4. Designated Operations Area (DOA)
   The operating area or location defining the volume of airspace to include altitude AGL and the defined geographical operational perimeter.

5. Federal Aviation Administration (FAA)
   FAA is the U.S. Federal Agency that regulates civil aviation, commercial airspace transportation, operates control towers, builds, installs, and maintains electronic aids to navigation, and registers all pilots and aircrafts in the U.S.

6. FAA CFR Part 107
   Rules and restrictions governing the operation of a UAS for private or commercial use. To operate the controls of an UAS under Part 107, the RPIC must hold a current remote pilot certificate with an UAS rating or be under the direct supervision of a person who holds such a certificate.

7. Notice to Airmen (NOTAM)
   A NOTAM is time critical information concerning the establishment, condition, or change in any component in the National Airspace. The NOTAM provides knowledge that is essential to personnel concerned with flight operations in designated areas. NOTAMs may be filed as a temporary change to the national aerospace standards that were not known in advance to publish on aeronautical charts or other operational publication.

8. Night Operations
   Those operations that occur between the end of evening civil twilight and the beginning of morning civil twilight, as published in the American Air Almanac, converted to local time (this is equal to approximately 30 minutes after sunset until 30 minutes before sunrise).

9. Pilot
   A crewmember who has successfully met the criteria outlined by the UAS Program for full flight duty.

10. Positive Aircraft Control
    Consistently maintaining appropriate control of the aircraft regardless of the phase of flight or potential distractions of other required tasks.

11. Remote Pilot in Command (RPIC)
    Duly qualified and authorized person exercising control over a UA/UAV/UAS during flight. This person must have a current Remote Pilot Certificate from the FAA.[5]

12. Remote Pilot Certification
    FAA certification that demonstrates that a person has knowledge and competence to operate a small Unmanned Aircraft System, as well as the ability to manage the risks of flight in order to act as a RPIC.

13. Risk Assessment
    The evaluation of the relative danger of UAS operations when taking into consideration the goals and objectives of deployment, UAS, professional qualifications of the RPIC and VO, operational readiness of the

[5] Details on receiving a certificate can be found on the FAA's website: https://www.faa.gov/uas/commercial_operators/become_a_drone_pilot

crew, weather conditions, environmental conditions, regulatory requirements, potential hazards, and operating conditions.

14. Small Unmanned Aircraft Systems:
    UAS that utilize a UA or UAV weighing less than 55 pounds and are consistent with FAA regulations governing model aircraft.

15. Unmanned Aircraft (UA) or Unmanned Aerial Vehicle (UAV):
    An aircraft that is intended to navigate in the air without an on-board pilot. Also, alternatively called Remotely Piloted Aircraft (RPA), Remotely Operated Vehicle (ROV), or Drone.

16. Unmanned Aircraft System (UAS)
    A system that includes the necessary equipment, network, and personnel to control an unmanned aircraft.

17. UAS Flight Crewmember
    A Pilot, Visual Observer, or other person assigned duties for a UAS for the purpose of flight or training exercise.

18. Visual Observer (VO)
    The flight crewmember responsible for the visual observation of the UAS while in flight.

E. Authorized Employees

The Department Director or designee will authorize and direct UAS deployments for each City Department and ensure compliance with all applicable laws, policies, and standards.

Only employees properly trained and authorized in writing may deploy UAS for a legitimate Department purpose. The RPIC must have a current Remote Pilot Certificate from the FAA. The visual observer is not required, but recommended to also have a Remote Pilot Certificate. The Department shall maintain a list of employees authorized to deploy UAS and their authorized roles (e.g., RPIC, visual observer) and provide access to this list to the City Privacy Officer (CPO) and City Information Security Officer (CISO) for periodic review (e.g., list maintained on a shared document).

F. Authorized Purposes

The City UAS program is intended to operate within established legal authority and for the intended purposes within designated areas specified by the FAA Certificate of Authorization (COA), and in compliance with FAA CFR Part 107 rules. All drones must be registered with the FAA before use.[6] All drones must be clearly marked as property of the City and include the full name of the Department.

Before a Department can use UAS equipment or have an entity use UAS equipment on the Department's behalf, that Department will document their own purposes for using UAS deployments as an attachment to this Handbook, referred to as "Attached Documentation" throughout this Handbook. Department purposes and other Department Attached Documentation must be approved by the CPO and CISO for a privacy and security review and by the City Attorney's Office to review legal compliance (see "Attached Documentation" section).

[6] Drones can be registered online at https://www.faa.gov/uas/getting_started/register_drone

Examples of legitimate use could include surveying public facilities or searching for lost people or property on a trail.

In general, Departments may request to use UAS equipment and the data collected to observe City property or information in the public right of way (with the exception of emergencies)._UASs should be flown under the following conditions:

1. Flights paths that minimize traversing through areas where people may be present;
2. Flight paths that minimize the risk of private property being damaged; and
3. Flight paths that otherwise minimize risk of damage or injury in the event that the UAS were to malfunction and fall to the ground.

Departments will not use UAS equipment and the data collected to do the following:

1. Activities that do not have a legitimate Department-informed purpose;
2. For surveillance of persons;
3. Conducting personal business of any type; or
4. As a weapon.

G. UAS Lending

1. Interdepartmental lending

   City Departments may lend a UAS ("Lending Department") to another City Department if the Department receiving the UAS ("Receiving Department") has approved Attached Documentation, and all flights conducted by the Receiving Department complies with the Receiving Department's Attached Documentation. If the Receiving Department is also using the UAS to provide information or otherwise support the Lending Department, then the UAS usage must comply with both the Receiving Department's and Lending Department's Attached Documentations.

2. Interagency lending

   City Departments may lend a UAS to another public agency ("Receiving Agency"), such as another city or state entity, under the following conditions:

   1. The parties execute a written waiver approved by the City Attorney's Office.
   2. All data collected from previous UAS usage is deleted from the UAS and associated equipment before lending.
   3. The Receiving Agency assumes all responsibility for the UAS including compliance with all applicable laws.
   4. If the Receiving Agency is using the UAS system within the City of San José's boundaries:
      i. The usage of the UAS must follow the Department's approved Attached Documentation;
      ii. Usage of the UAS must be done in coordination with the Lending Department;
      iii. All data collected by the Receiving Agency shall be owned by and the responsibility of the Receiving Agency;
      iv. All data collected from the UAS usage must be deleted from the UAS and associated equipment before returning to the Lending Department unless an agreement is defined in writing to share the information with the Lending Department. The Receiving Agency must comply with all applicable laws including the California Public Records Act.

   Notwithstanding any provision to the contrary, the City Manager or designee, is authorized to suspend or terminate the City's lending of UAS to other public agencies if the City Manager determines it is

contrary to the City's interests. Further, the City Manager or designee is authorized to waive the compliance of these conditions of interagency lending in the event of a life-threatening situation or when required by law.

City Departments may borrow a UAS from another public agency or entity for usage so long as the Department meets all requirements detailed in this Handbook and complies with the requirements of the lending agency. Department may only use the borrowed UAS for purposes approved in the Department's Attached Documentation. The City Manager or designee is authorized to execute any written agreement or waiver required of the City to borrow UAS from other public agencies provided the written agreement or waiver does not expose the City to significant risks and liability.

H. UAS Program Operations

1. Administration

The UAS program will consist of a Coordinator(s), Remote Pilot(s) in Command (RPIC) and Visual Observer(s) (VO).

a. UAS Program Coordinator:

City Department Director or designee will designate the UAS program coordinator for the Department. Duties and responsibilities include:

i. Day to day supervision of UAS Program
ii. Maintain all training, flight, and maintenance records for each Pilot, Visual Observer, and aircraft
iii. Maintain proficiency on all UAS operated by the Department
iv. Obtain and maintain an FAA CFR Part 107 certification
v. Develop and maintain training modules, preflight checklist, go/no-go checklist, and post-flight checklist
vi. Equipment evaluation and purchasing
vii. Data retention and archiving of video, images, and audio
viii. Capture and circulate pertinent safety information from manufacturer
ix. Capture and circulate emergency safety bulleting from FAA
x. Perform scheduled maintenance of UAS aircraft and support equipment
xi. Prepare annual summary report of Department UAS activities, complaints and investigations and submit to the Department Director
xii. Proper drone fleet maintenance, storage, and replacement cycles
xiii. Data handling, securing, and storage

b. Pilot/Remote Pilot in Command:

City Department authorized UAS Pilots shall meet minimum required training levels and maintain valid and current Remote Pilot Certification.

Duties and responsibilities include:

i. Maintain knowledge of FAA regulations applicable to airspace when operating a UAS. While not required, the FAA recommends using the B4UFly app to determine airspace restrictions[7]
ii. Obtain and maintain an FAA CFR Part 107 certification
iii. Comply with the UAS equipment manufacturers' user specifications
iv. Maintain proficiency on all UAS and UAS aircraft operated by the Department
v. Maintain proficiency in the use of two-way radio for communication with VO during UAS flight
vi. Proficiency in interpreting and filing NOTAM, when applicable
vii. National Transportation Safety Board (NTSB) notification, if applicable. Reporting on incidents (49 CFR 830.5) shall be coordinated with the Department Director or designee and the City Attorney's office
viii. Perform pre and post flight inspections on all assigned UAS to ensure safe operability
ix. Perform scheduled maintenance and cleaning of assigned UAS aircraft and support equipment

c. *Visual Observer:*

The VO will alert the RPIC of any conditions (obstructions, terrain, structures, air traffic, weather, etc.) which may affect the safety of flight. The VO will be responsible for all aviation related communications required by the FAA. To accomplish this, the VO will be in close proximity to the RPIC to ensure timely relaying of information. All RPICs must operate the UAS with the assistance of a VO.

Duties and responsibilities include:

i. Ability to effectively communicate situational awareness factors, (i.e., hazards, and changing weather patterns with the RPIC via radio or face-to-face)
ii. Competence in flight restrictions, regulations concerning "right of way", and rules regarding operations near other aircraft
iii. Knowledge and ability to properly utilize UAS support equipment (radio, camera, charging stations, etc.)
iv. Shall not perform other roles during flight

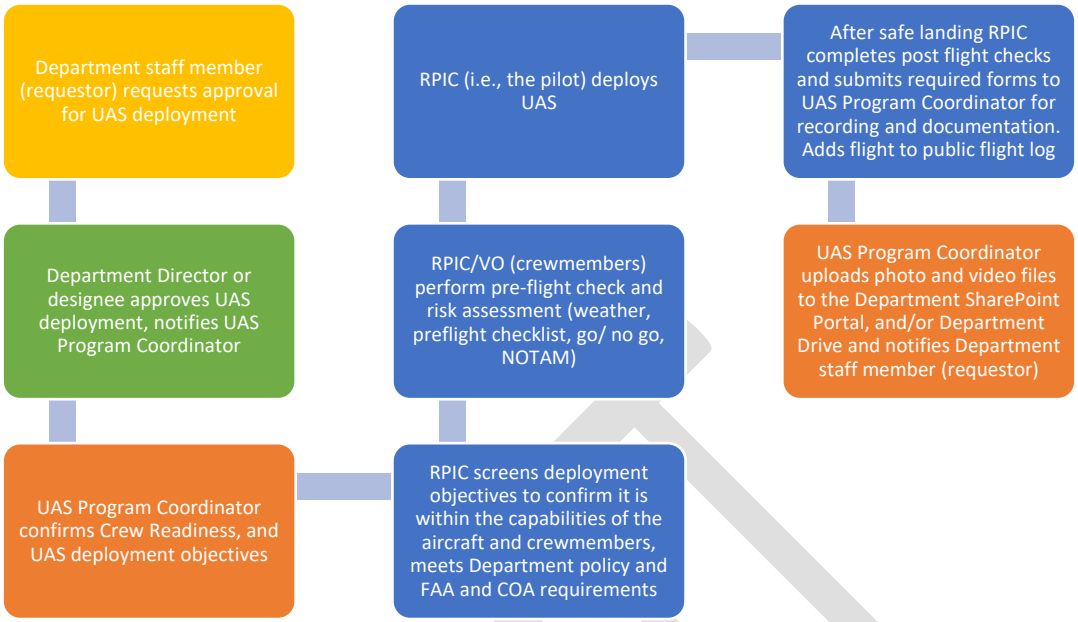
2. General Operating Procedures

a. *UAS Storage and Access*

City Department will restrict access to its UAS equipment to Department personnel authorized to use the UAS. When not in use, UAS equipment must be stored in a secure environment, such as in a locked room only accessible by authorized personnel.

[7] B4UFly app: https://www.faa.gov/uas/getting_started/b4ufly

b. Pre-flight



i. Department UAS will be given the designator of "RWF-[Department initials] UAS [number]"during all flights (e.g., "RWF-DOT UAS 1" for Department of Transportation flight number 1)
   - When a Department first applies to use a UAS, they will propose initials for their Department. Once approved, the initials will be included in the Department's Attached Documentation (see "Attached Documentation" section)

ii. A minimum of two (2) crewmembers are required for every UAS flight: the RPIC (pilot) and VO (visual observer)

iii. The City Department Director or designee will authorize all UAS Deployment

iv. The UAS Program Coordinator will conduct a face-to-face (virtual or in-person) briefing with RPIC/VO to confirm the UAS deployment objectives

v. The RPIC is responsible for UAS operation. No person may order the RPIC to:
   - Accept a mission
   - Fly outside of FAA regulations, COA, or manufacturer's specifications
   - Violate any rules or regulations that the RPIC feels would put members of the public or the crewmembers at a greater risk than is normally assumed with flight operations

vi. The RPIC will screen the deployment objective based on the following criteria:
   - Is the proposed objective within the capabilities of the aircraft and crewmembers to perform?
   - Does the proposed objective fall within FAA and COA requirements?
   - Does the proposed objective fall within Department policies?
   - Can the UAS be deployed safely within the current and predicted weather conditions?

vii. Prior to UAS deployment, the crewmembers will:

- Conduct a risk assessment and determine if the UAS can fulfill the requested objectives and how to minimize collection of personally identifiable information
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- Complete preflight operations including the preflight checklist and filing of NOTAM when required

c. *In-Flight*

Crewmembers will:

i. Avoid flights over crowds;
ii. Minimize capture of personally identifiable information, such as people's faces;
iii. Abort and return upon identification of any UAS equipment malfunction or if weather conditions substantially reduce flight control abilities; and
iv. Maintain situational awareness of the unmanned aircraft and its surroundings, including the location of the unmanned aircraft and nearby people and structures.

d. *Post-Flight*

Crewmembers will:

v. Complete postflight checklist
vi. Submit all forms (pre-flight checklist, post-flight checklist, etc.) to UAS Program Coordinator for recording and documentation, this includes completing a flight log that includes the following:
    - Date and time flight began and ended
    - Employee ID of the pilot and other crewmembers
    - Address of the take-off location (street number, name, and zip code)
    - Description of the purpose of the flight
vii. Post a summary of the flight to a public flight log present on the City website that includes date, time, duration, general location (block, park, school, etc.), and a brief description of purpose[8]
viii. Store all photos and videos captured during UAS deployment in the designated storage location and in accordance with the City of San José Record Retention Schedule

e. *Maintenance*

i. UAS Program Coordinator shall be responsible for UAV maintenance according to the manufacturer's recommendation
ii. Only UAS authorized crewmembers are to perform maintenance and cleaning on UAV and support equipment
iii. Scheduled and unscheduled maintenance shall be documented. All records of UAV inspection and maintenance shall be kept in accordance with the record retention policy described herein

3. Safety Procedures

All crewmembers of the UAS program are responsible for program safety and shall conduct a risk assessment prior to engaging in UAS operations. A proper risk assessment will, at a minimum, include an evaluation of relative danger of UAS operations, when considering the objective and goals of deployment, UAS professional qualifications of the RPIC and VO, operational readiness of the crew, weather conditions, environmental conditions, regulatory requirements, potential hazards, and

[8] An example flight log can be found on SJPD.org - https://www.sjpd.org/records/uas-deployments

operating conditions. Recognized or suspected safety hazards (procedural, operational, or maintenance related) shall be immediately communicated and mitigated. Observed unsafe or dangerous UAS acts will be immediately reported to the UAS Program Coordinator and Department Director or designee.

a. Preflight Requirements

i. Preflight Checklist: Prior to deploying a UAS, UAS crewmembers must complete a preflight checklist. This action demonstrates crew readiness and prepares the RPIC to have positive aircraft control throughout the entirety of UAS operations.
ii. Go/No-Go Checklist: A go/no-go evaluation is performed prior to launching any UAS aircraft. This is a requirement of the risk assessment process; any item in the evaluation that is not checked or mitigated will prevent UAS deployment.
iii. UAS Crewmember Readiness: No Pilot may act as RPIC for more than ten (10) consecutive hours in a 24-hour period.

b. Accidents/Malfunction/Fly-Away Procedures

i. Accidents: Accidents involving UAS will adhere to local, state, and federal laws, and National Transportation Safety Board (NTSB) notification in certain circumstances (see "NTSB Notifications"). All reasonable attempts will be made to record accident location (latitude/longitude coordinates) and to recover UAS with data card. The data card shall be encrypted to reduce the risk of unauthorized access (see "Data Retention, Use and Privacy Protection" section). Additional detail on accident procedure unique to Departments will be included in their Attached Documentation (see "Attached Documentation" section).
ii. Malfunction and Fly-away Procedures: In the event of a flyaway or malfunction, the RPIC will attempt to recall the UAS by the RTH (return to home feature where UAS will fly to last take-off area or designated "home" location) or physically power down controller to force RTH function. In the event the UAS lands on private property, the owning Department will contact the property owner and receive permission to the private property before retrieving the malfunctioned UAS. The City will hold insurance to cover damages to private property in the event of a UAS crash.
iii. Accidents should be reported to the Risk Management Division of the Finance Department (Riskmgmt@sanjoseca.gov) as soon as practicable.

c. NTSB Notifications

Accidents involving UAS under this program could require immediate National Transportation Safety Board (NTSB) notification. If a UAS is involved in an accident-causing death or serious injury, the NTSB must be notified and will investigate (49 CFR 830.2).

In any events or conditions noted below (49 CFR 830.5) occur, the NTSB must be notified and may investigate at its discretion:

i. Flight control system malfunction or failure (true "fly-away")
ii. Inflight fire
iii. UAS collision in flight
iv. More than $25,000 in damage to objects other than the UAS
v. Release of all or a portion of a propeller blade from UAS, excluding release caused solely by ground contact
vi. Damage to UAS tail or main rotor blade(s) that require major repair/replacement of the blade(s)

vii. UAS is overdue and is believed to have been involved in an accident

d. Other Accident notifications

i. In accordance with 14 CFR 107.9, no later than 10 calendar days after an operation that meets the criteria of either paragraph (i) or (ii) of this section, a remote pilot in command must report to the FAA, in a manner acceptable to the Department Director or designee, any operation of the small, unmanned aircraft involving at least:
   i. Serious injury to any person or any loss of consciousness; or
   ii. Damage to any property, other than the small, unmanned aircraft, unless one of the following conditions is satisfied:
      1. The cost of repair (including materials and labor) does not exceed $500; or
      2. The fair market value of the property does not exceed $500 in the event of total loss.

4. Training

a. Initial Training

Every UAS Pilot will attend FAA CFR Part 107 class, and a new crewmember orientation. The new crewmember orientation will address the following:

i. Department UAS Operations Policy review
ii. FAA CFR Part 107 license requirement
iii. FAA testing at approved facility
iv. UAS Aircraft introduction and manipulative training
v. Data storage, retention and sharing protocols
vi. Privacy, Civil Rights, and Civil Liberties protections
vii. Maintenance and repair procedures
viii. UAS aircraft and equipment access and security measures

b. Remote Pilot in Command Training

RPICs must have a current Remote Pilot Certificate from the FAA. Pilots may be cleared for full-flight status after completing FAA CFR Part 107 class, new member orientation, receiving their Remote Pilot Certification, and demonstrating proficiency with a UAS Program Coordinator.

c. Recurrent Training

- FAA CFR Part 107 recertification is required every two (2) years
- Pilots who do not have any documented training or flight time within ninety (90) days of their previous operation/training/exercise shall meet with the UAS Program Coordinator to demonstrate proficiency before they can be returned to full flight status

d. Oversight of Training and Licensure

- UAS Program Coordinator is responsible for maintaining a current list of authorized RPIC's in the Department, this should include confirmation that the RPIC's trainings and licenses are all current
- UAS Program Coordinator is responsible for checking staff training and licenses at least quarterly

- If a staff member is not current on training or licenses, they cannot pilot UAS equipment until they are made current. The UAS Program Coordinator is responsible for notifying staff once their licenses and training expire

5. Data Retention, Use and Privacy Protection

All UAS Programs shall follow the City of San José Record Retention Schedule. Each Department's UAS Program Coordinator or designee is responsible for that Department's retention compliance, and will confirm compliance annually by ensuring data older than the retention period is purged from City systems. This table includes the relevant retention periods for the data surrounding a UAS system, such as maintenance records and incidents reports. The retention for the data collected by the UAS (e.g., the video footage and data generated from it) varies by use case and Department, and is defined in the flight plan for each type of flight. See "Attached Documentation" section.

Applicable Series #	Purpose
391	Records documenting staff training for UAS equipment
573	Incident Reporting and Investigation Records – records documenting security or safety related incidents including but not limited to complaints, incident reports, accident reports, and investigation records
346	Vehicle/Equipment – Inspections, maintenance, leases, equipment certification, equipment history, registrations, work orders, specifications
347	Vehicle/Equipment – Insurance and warranties

a. Photo, video, and other media collected during UAS deployment (collectively "UAS footage") may be temporarily stored on the UAS equipment (e.g., on a USB or SD card).
b. UAS footage will be uploaded into a secure storage area approved by the CISO. Once uploaded, any data stored on the UAS equipment (e.g., on a USB or SD card) must be purged. Permission to access or edit the footage must be regulated by the UAS Program Coordinator or designee and only granted to those with a need to know for approved City Department purposes. Additional details on data storage will be provided by each Department in their Attached Documentation (see "Attached Documentation" section).
c. All recorded digital media are property of the City of San José and shall not be copied, released, or disseminated in any form or manner outside the parameters of this Handbook and approved Attached Documentation without the expressed consent of the City Department Director and approval from the CISO and CPO.
d. All recorded digital media, metadata of the recordings, and data generated from the recordings must be stored inside the United States. Data must not be stored, processed, or otherwise used on covered telecommunications equipment defined by the federal government.[9]
e. City Department shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., inside residence). Crewmembers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions include, for example, deactivating imaging or turning imaging devices away from such areas or persons during UAS operations.

[9] As of 2023, this is defined in FAR 52.204-25: Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment - https://www.acquisition.gov/far/52.204-25#FAR_52_204_25

6. Transparency Requirements
    a. UAS shall be clearly and visibly marked to identify the UAS to the public as Department equipment.
    b. Department will provide notice to the public of the use of the UAS online through an online flight log (see "*Post-Flight*" for details on public flight log).
    c. The Department will keep the public informed about its UAS program through annual updates to the Department's website. The website update will include information on:
        i. Policies in place to protect privacy, civil rights, and/or civil liberties, including any changes that would significantly affect those rights.
        ii. Where, when, duration, and purpose the UAS has been used. For specific information see FAA COA 2021-WSA-8536-COA.
        iii. Procedures for the public to file questions or complaints regarding the UAS program with a designated point-of-contact.
    d. The Department shall make an annual report available to the public. This report should cover the preceding calendar year and shall be published no later than March 1 or next working day if March 1 is a weekend or holiday. The report will include:
        i. A summary of UAS operations during the previous fiscal year
        ii. Brief description of types of missions flown
        iii. Number of times the Department aided Federal, State, local, tribal, or territorial governments
        iv. An attachment including the purpose of Department's UAS program, including all approved flight plans. UAS program purpose will be reviewed annually by the CPO and CISO for a privacy and security review and by the City Attorney's Office to review legal compliance.
    e. Additionally, the Department shall provide an annual report to the CPO and CISO that includes the following:
        i. Current list of all employees authorized to operate UAS equipment and their authorized roles (e.g., RPIC, visual observer, other deployment)
        ii. Current Department designee(s) responsible for overseeing the Department's UAS program and authorizing employees to operate UAS equipment
        iii. Any proposed updates to purpose of the Department's UAS program, including the Department's flight plans. All updates must be approved the CPO and CISO for a privacy and security review and by the City Attorney's Office to review legal compliance.
    f. The Department will engage the public throughout the course of each year at community outreach events and various media campaigns to increase general community knowledge and awareness of the UAS Program.
7. Public records requests
    a. This program will comply with the City's policies on Public Records Act requests[10] and the California Public Records Act (CPRA).[11]

[10] City of San José Ethics and Open Government Provisions: Chapter 12: https://library.municode.com/ca/san_jose/codes/code_of_ordinances?nodeId=TIT12ETOPGOPR
[11] California Public Records Act, Government Code 7920 et seq.: https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNum=7920.000

I. Program Oversight

1. The Department UAS Program Coordinator is responsible for routine oversight of their Department's UAS activity. This includes:
    a. Maintains records of staff licenses and trainings associated with UAS usage, checked quarterly
    b. Provides a summary report of UAS operations as detailed in the "Transparency" section to the public, released annually
    c. Receives public complaints regarding Department usage of UAS, checked as complaints are received and reported to Department Director at least annually
    d. Monitors updates to the FAA's policies and other regulations pertaining to UASs, checked annually
    e. Provides requested updates to the Department's Attached Documentation to the CIO, CAO, and Office of Risk Management, provided whenever the Department requests changes to their Attached Documentation
2. The CIO shall designate staff responsible for monitoring the privacy and cybersecurity of Department UAS programs, which will include:
    a. Receiving, investigating, and addressing, as appropriate, privacy, civil rights, and civil liberties complaints relating to the deployment of a Department UAS and/or retention of information from such deployment.
    b. Evaluating Department compliance and adherence to this Handbook based on Department annual reports and ad hoc compliance inspections initiated by the City Manager or designee.
3. The City Manager or designee may request additional information regarding a Department's UAS usage at any time

J. Insurance

1. The Department's UAS must be covered by liability insurance approved by the Office of Risk Management. Department cannot fly a UAS without sufficient insurance as approved by the Office of Risk Management. Newly acquired UAS should be reported to the Risk Management Division of Finance Department at Riskmgmt@sanjoseca.gov.

K. Vendor Requirements

1. City Departments may engage vendors, contractors, or other service providers (collectively, "vendors") under direct contract with the City to use UAS equipment on their behalf, provided the contracted vendors using UAS equipment on behalf of a Department (the "Contracting Department") must comply with this Handbook, including but not limited to:
    a. Only using the UAS system as allowed in the Contracting Department's Attached Documentation
    b. Holding liability insurance approved by the Office of Risk Management
    c. Staying in compliance with all local, state, and federal laws, including FAA regulations
    d. Maintaining current licenses for RPICs and any additional training for UAS staff

e. Satisfying the Transparency requirements directly or providing the Contracting Department with all data needed to satisfy the Transparency requirements (see sub-section "Transparency Requirements")
f. Storing, handling, and securing data in a way approved by the CISO
g. Reserving the right of the CPO and City Manager's Office to review footage recorded on behalf of the contracting Department at any time to verify compliance

The City is the owner of all data collected and generated on behalf of the City Department by the vendor. Upon completion or cancellation of the relationship with the Vendor, Vendor shall provide the contracting Department(s) all data collected and generated by the drone usage, and promptly delete from all vendor storage locations in accordance with City contract requirements and policy.

L. Attached Documentation

1. Before a City Department can use UAS equipment or have an entity use UAS equipment on the Department's behalf, that Department must complete the attached form in Exhibit 1 of this Handbook. The approved form will be kept on file with the City Information Technology Department and is referred to as "Attached Documentation" throughout this Handbook.
2. Department Attached Documentation must be approved by the CISO and CPO following review for privacy and security and by the City Attorney's Office to review legal compliance.
3. Attached Documentation should provide the following information (see template in the following section):
    i. Department name, Director, and Director designees
    ii. List of all employees authorized to operate UAS equipment and their authorized roles (e.g., RPIC, visual observer, other deployment) along with relevant certifications and expiration date of certifications, such as a Remote Pilot Certificate from the FAA for RPIC
    iii. Department initials
    iv. Additional details on Department-specific accident procedure
    v. Additional details on data storage
    vi. Pre-flight and post-flight checklists
    vii. Department-specific authorized/prohibited uses. Authorized uses must include details on types of "flight plans" which they are requesting for use. Flight plans should include:
        1. Purpose of the flight
        2. Data intended for collection
        3. Subject of the flight (e.g., roads, parks, facilities)
        4. Retention period of the data collected and generated by the flight
        5. Any algorithmic processing or analysis of the footage (e.g., computer vision, machine learning)
        6. Anticipated privacy risks, including private property that could be at risk of being captured in footage
    viii. Department-specific information in annual report (see "Transparency Requirements" section)

Exhibit 1: Template for Attached Documentation

Contact Information

Department Name	
Department Initials	
Director name	
Director email	
Director designee name(s)	
Director designee email(s)	

Employees authorized to use UAS equipment

Employee	Authorized Roles	Relevant Certifications (expiration date)

Additional details on Department accident procedure:

Additional details on data storage:

Pre-flight checklist:

Post-flight checklist:

Department-specific Flight Plans:

Flight plan 1:

A. Purpose of the flight
B. If flight is conducted on behalf of another Department(s), the name(s) of the other Department(s)
C. Data intended for collection
D. Subject of the flight (e.g., roads, parks, facilities)
E. Retention period of the data collected and generated by the flight
F. Any algorithmic processing or analysis of the footage (e.g., computer vision, machine learning)
G. Anticipated privacy risks, including private property that could be at risk of being captured in footage

Additional annual usage report requirements: