



Requirements for the Use of Small Unmanned Aircraft Systems (UAS) when Filming on State Property

Rev. June 14, 2017

On August 29th, 2016, the FAA's permanent regulations for the operation of small Unmanned Aircraft Systems (UAS) in the National Airspace System (NAS) went into effect. These new regulations under Title 14 Code of Federal Regulations (14 CFR) Part 107, establish the minimum safety standards for small UAS operations in the United States.

Among other things, the new rules establish certification requirements for small UAS pilots under 14 CFR Part 107, establishing a new category of pilot referred to as the Remote Pilot. While Part 107 established this new category, a person holding a traditional pilot certificate under Part 61 may also operate small UAS under Part 107 if they meet certain requirements outlined in the rule. Both category of pilots may supervise the operation of a small UAS operated by someone without any pilot certification under Part 107 or Part 61.

To date, since the new regulations went into effect, over 43,000 remote pilot certificates have been issued.

In an important departure from many of the Section 333 exemptions issued under the provisions of Public Law (PL) 112-95, Part 107 prohibits operations over human beings (including cast and crew), only allowing such operation under the provisions of a Waiver issued by the Federal Aviation Administration (FAA). This past November, the FAA issued an amendment to virtually all exemptions granted under Section 333, which revised the Conditions and Limitations, aligning them more closely to the provisions of Part 107. This action withdrew the authority to operate over people (cast and crew) for many exemption holders. **Only the original seven (7) exemption holders retained this authority, including: Aerial Mob, Astraeus Aerial, Flying-Cam, HeliVideo Productions, Pictorvision, Snaproll Media and Vortex Aerial.**

A copy of the [Section 333 Exemption Amendment, dated November 2016](#) (detailing all current 333 guidelines) is available, but use this link for reference only. The CFC suggests that you contact the FAA for the latest changes/amendments.

Information Questionnaire: The CFC has a [new questionnaire](#) for those who wish to fly UAS over state property. The completed form and all accompanying documentation must be submitted with the production's permit application.

UAS Operating Authority: The CFC recognizes two (2) forms of Operating Authority, including valid Section 333 Exemptions, and 14 CFR Part 107. Applications for filming over State property must identify the specific Operating Authority, and applicants must adhere to the provisions of that Operating Authority only. For example, the Conditions and Limitations of an Exemption may not be used when conducting operations under Part 107 and vice versa.

Permitting Timeframe: Please allow *up to* seven (7) business days for the CFC to process requests for film permits that include the use of small UAS, and be aware that the process will not begin until all required documentation has been submitted.

Also note that meeting all qualifications required of a Part 107 Remote Pilot does not guarantee permission to operate a small UAS over State property. CFC State partners (Caltrans, State Parks, etc.) also review applications on a case-by-case basis, and consent or deny requests based on their specific criteria. Applicants should consider checking with all applicable State agencies *before* submitting permit applications to the CFC.

UAS Pilot Certification Information: In order to obtain a Remote Pilot certificate under Part 107, applicants (who do not already hold a Part 61 pilot certificate) must pass an initial aeronautical knowledge test at an FAA-approved knowledge testing center and complete a security background check by the Transportation Security Administration (TSA). Pilots with a traditional Pilot Certificate under Part 61 (except Student Pilots) must have successfully completed a flight review within the previous 24 months and complete a Part 107 online training course.

Permit Applications: Operating Authority - Section 333

Those applying under Section 333 are required to submit:

1. Proof that the production is using a UAS operator who is the holder of a valid Section 333 Exemption, authorizing motion picture, television and news media filming and/or aerial cinematography or aerial data collection. Exemptions granted for surveillance of pipelines, agricultural purposes, real estate, etc., will not be considered.
2. A copy of the operator's *Certificate of Authorization* (COA).

Note: UAS operators had originally been required to apply for and receive a COA for each particular location (site specific), but the FAA streamlined the process, issuing “**blanket**” or “**streamlined**” COAs for flights at or below 200 feet, as long as the operations are not within the vicinity of airports, heliports, seaplane bases or other restricted airspace.

3. A copy of the operator's written Plan of Activities (POA) with evidence of submission to the FAA Flight Standards District Office (FSDO) with jurisdiction over the area of production.

Permit Applications: Operating Authority - 14 CFR Part 107

Those applying under Part 107 are required to submit:

- A copy of the Remote Pilot Certificate for the Remote Pilot in Command (Remote PIC)
- A copy of the Part 47 or Part 48 Registration Certificate for each UAS
- A detailed description of proposed flight activities (including maps)
- Copies of all necessary Waivers or Approvals
- Proof of insurance coverage (as detailed below)

Basic provisions of 14 CFR Part 107:

- UAS must weigh between .5 and 55 pounds.
- Use of Visual Observer (VO) is optional.

- The remote pilot and the person manipulating the flight controls must remain within visual line-of-sight of the UAS (unaided by any device other than corrective lenses).
- UAS must be operated in daylight only – or civil twilight (generally 30 minutes before sunrise to 30 minutes after sunset, with appropriate anti-collision lighting).
- Maximum altitude is 400 feet above ground level (or within 400 feet of a structure).
- Operations from a moving aircraft or vehicle are not permitted without Waiver.
- UAS operations require a preflight inspection by the remote pilot.
- Operations in Class G airspace is allowed, but operations in Class B, C, D and E airspace is only allowed with the required ATC (Air Traffic Control) authorization.
- No person may act as a Remote Pilot or Visual Observer for more than one UAS operation at one time.

Note: 14 CFR Part 107.205 identifies regulations under Part 107 that may be waived by the FAA. Those regulations include:

- 107.25—Operation from a moving vehicle or aircraft
- 107.29—Daylight operation
- 107.31—Visual line of sight aircraft operation
- 107.33—Visual observer
- 107.35—Operation of multiple small unmanned aircraft systems
- 107.37(a)—Yielding the right of way
- 107.39—Operation over people
- 107.41—Operation in certain airspace
- 107.51—Operating limitations for small unmanned aircraft

For a complete list of guidelines for operating UAS under Part 107, go to:

- **[Complete Text of Part 107 Rule](#)**
- **[Summary of Part 107 Rule](#)**

For information on obtaining a Remote Pilot Certificate under Part 107, or how to apply for a Waiver:

- **[Becoming a Remote Pilot](#)**
- **[Applying for a Waiver](#)**

PLEASE NOTE: While the FAA controls U.S. airspace, individual jurisdictions (states, counties, cities) may regulate take-offs and landings within their jurisdictions. Additionally, the FAA does not regulate the use of UAS indoors (on a stage, in a building or other enclosed areas). Indoor drone activity will require other applicable approvals.

If you have any questions about the use of drones when filming on state property, contact CFC Deputy Director Eve Honthaner at 323-860-2960, ext. 136 - ehonthaner@film.ca.gov or CFC Senior Permit Coordinator, Eric Klosterman at 323-860-2960, ext. 105 – eklosterman@film.ca.gov.

INSURANCE REQUIREMENTS (*mandatory for both Section 333 and Part 107 Applicants*):

As the CFC website details “Insurance Requirements for Filming,” a production entity that wishes to film on State property must provide the CFC with a certificate of insurance evidencing coverage of General Liability, Workers Compensation and Automobile Liability (go to: <http://film.ca.gov/state-permits/insurance-requirements/> for specified limits and coverage requirements).

If the production’s proposed activities include the use of a small UAS, **additional aerial coverage must be provided by the UAS operator**. The additional requirements are to provide:

1. Proof of Unmanned Aircraft Systems (UAS) coverage (listing the specific aircraft to be used) with a **limit of at least \$2,000,000**. This can be submitted in one of two ways:
 - a. If UAS coverage is being added to a general liability policy, there must be a **separate endorsement** showing proof of UAS coverage.
 - b. If the coverage is coming from an *aviation-specific* insurance carrier (such as Global Aerospace), a separate policy endorsement is **not** necessary, as the entire policy represents the UAS coverage.
 - c. A separate endorsement naming the State of California, its officers, agents and employees as Additional Insured.
2. Please note that all **separate endorsements** must be submitted as **separate attachments** (not included in the body of the certificate of insurance).

IMPORTANT NOTES

- UAS operators must have all pertinent documentation **on set with them at all times**, including documents related to Operating Authority, Pilot Qualifications, and Aircraft Registration. Those documents include a valid Section 333 Exemption, Certificate of Authorization (COA), Plan of Activities (POA), UAS registration certificate and appropriate pilot certificate.
- Operation of a small UAS is permitted only when all qualifications have been met, all necessary approvals have been obtained, and use of a small UAS is noted on the production’s permit. If a production is found to be operating a small UAS without the proper permit, the assigned Fire Safety Officer or law enforcement official may immediately suspend the small UAS activities and/or the production may be subject to a fine.
- The use of a small UAS as a **PROP** (that is being flown) is subject to the same regulations as those used for filming.
- On October 9, 2015, Contract Services Administration Trust Fund issued Safety Bulletin #36, “Recommended Guidelines for Safely Working Around Unmanned Aircraft Systems” and its Addendum A, “Unmanned Aircraft Systems Exemption Summary”. These documents are posted on the csatf.org website, and may be accessed by clicking on the links below:

<http://www.csatf.org/pdf/36UAS.pdf>

http://www.csatf.org/pdf/36ADDENDUM_A.pdf.

Note: A copy of the Safety Bulletin should be attached to your call sheet on days when a small UAS is being used.

GUIDELINES FOR THE USE OF UAS OVER CALTRANS PROPERTY

Submissions for permits that include the use of small UAS over Caltrans property will be reviewed on a case-by-case basis. Caltrans guidelines for the use of a UAS are as follows:

- Use of a small UAS will be treated as a complex shoot and will require a freeway closure. There could therefore be up to a twelve (12) business day approval process. If, however, all required documents are submitted in a timely manner, and Caltrans is satisfied with the plan of activities, the turnaround time could be as short as seven (7) business days. Depending on the requirements, at least one meeting with Caltrans, CHP, CFC and other affected entities would be required to discuss logistics.
- Insurance requirements will be consistent with State guidelines (follow this [link](#) to review insurance requirements.)
- Requests for the use of small UAS over Caltrans property will not be considered without the submission of a detailed plan of proposed activities (including maps).
- Small UAS operators must adhere to all current and future FAA mandated rules with regard to distances from airports, military installations and any person(s) or property.
- It is the responsibility of the permittee to obtain all necessary jurisdictional approvals and to submit a description of proposed activities and proof of required insurance coverage within a timely manner.

If approved:

- Caltrans will determine the radius (extending beyond any point of the roadway) that will constitute the production's closed set during small UAS activities.
- Small UAS pilots (with the approval of Caltrans) may decrease the perimeter of the closed set if barriers or structures are present that would sufficiently protect non-participating persons from the small UAS and/or debris in the event of an accident. Please note however that permission to reduce the perimeter must also be granted by Caltrans.
- Intermittent Traffic Control (ITC) or closures will be enforced from both directions, creating full closures on both sides of the freeway/road. Please note that ITC shall be performed on conventional highways only, and filming with a small UAS must occur within 3- to 5-minute ITC windows. UAS filming on freeways is restricted to the ends of freeways where full freeway closures are feasible and adequate detours are available.
- No driving with the flow of traffic will be allowed when a small UAS is involved.
- Productions must work with all applicable City jurisdictions to facilitate the closing of all relevant over-crossings and under-crossings during filming with a small UAS.
- If the road to be closed for small UAS filming is adjacent to a beach or park, permission must also be granted from the Park's film liaison.
- Caltrans has the right to assign a monitor to be on-set during small UAS flights over Caltrans freeways, highways and roads.

For more information on the use of UAS, go to: <http://www.faa.gov/uas/>