



**MONTGOMERY COUNTY
FIRE AND RESCUE SERVICE**

24-10

Policy and Procedure

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**Small Unmanned Aircraft Systems
(sUAS)**

March 15, 2021

Issued by: Fire Chief Scott E. Goldstein

Policy Number: 24-10

Authority: Montgomery County Code Section 21-3 (b)

Supersedes: Policy 24-10, *Unmanned Aircraft Systems (UAS)*,
dated September 17, 2018

Effective Date: March 15, 2021

SECTION 1. Purpose:

To establish a policy and procedure for Montgomery County Fire and Rescue Service (MCFRS) Small Unmanned Aircraft Systems (**sUAS**) which will govern the **sUAS** Program for the MCFRS while establishing a department standard for **sUAS** operations and clearly defining the conditions and parameters while engaged in **sUAS** operations to reduce the probability of damage, injury, and/or mortality.

SECTION 2. Applicability:

All MCFRS personnel.

SECTION 3. Background:

The MCFRS has established a **sUAS** program to support and enhance operations. The **sUAS** program is intended to boost overall situational awareness, search, rescue, command and control needs, by bringing faster, more reliable information to incident commanders and decision makers, during emergency and planned events. With approximately 500 square miles protected by the MCFRS, **sUAS** operations will increase safety in emergency situations and operational proficiency. The Federal Aviation Administration (FAA) governs **sUAS** operations and provides regulations that specify required procedures and guidelines to safely operate a **sUAS**.

SECTION 4. Definitions:

- a. **Digital Multimedia Evidence (DME)** -- Digital recording of images, sounds, and associated data.
- b. **FAA 14 CFR Part 107** -- The federal regulations set forth by The Federal Aviation Administration (FAA) regarding **sUAS** operations in the National Air Space.
- c. **Remote Pilot (RP)** – A person who holds a valid **remote pilot** certificate with a **small unmanned aircraft system** rating issued by the FAA. **Remote Pilots** must demonstrate aeronautical knowledge by one or more of the following:



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1. Passing an initial knowledge test at an FAA-approved knowledge testing center
2. Hold a part 61 pilot certificate other than a student pilot, complete a flight review within the previous 24 months, and complete a **sUAS** online training course provided by the FAA.
3. Be vetted by the Transportation Security Administration
- d. **Remote Pilot in Command (RPIC)** -- A person who holds a **remote pilot** certificate with an **sUAS** rating and has the final authority and responsibility for the operation and safety of an **sUAS** operation conducted under FAA Part 107.
- e. **Small Unmanned Aircraft System (sUAS)** -- A small unmanned aircraft and its associated elements that are required for the safe and efficient operation of the small unmanned aircraft in the National Air Space that includes the necessary equipment, network, and personnel to control a small unmanned aircraft.
- f. **Program Manager**- MCFRS personnel designated by the Special Operations Section Chief who oversees the **sUAS** program. Duties include inventory, maintenance, training, supervision, and equipment/employee certification.

SECTION 5. Policy:

It is the policy of the MCFRS to utilize **sUAS** for the focused and limited purpose of public safety activities. The **sUAS** deployment and data collected will be used in a lawful manner consistent with all provisions of applicable law. MCFRS will obtain all applicable authorizations, permits, waivers or certificates required by the FAA prior to deploying or operating the **sUAS**. These authorizations, permits, waivers and certificates will be maintained and current. The Special Operations Section Chief will designate the person responsible for this function.

SECTION 6. Responsibility:

- a. The **sUAS** program will be managed by the Special Operations Section Chief, who will ensure that all deployments and uses of **sUAS** by MCFRS are done in accordance with this policy and procedure. The program will be included in the MCFRS public facing web page to inform the public of how MCFRS uses **sUAS**.
- b. An authorized **sUAS** Program Manager will audit flight documentation at regular intervals. The results of the audit will be documented.
- c. An authorized **sUAS** Program Manager will conduct regular audits/assessments to ensure that all operations are conducted in compliance with MCFRS policies related to UAS operations.
- d. The Fire Chief, or designee, shall publish an annual report documenting the agency's deployment and use of **sUAS** devices.
- e. The Special Operations Section Chief, or designee, will review this policy every three years to



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ensure it meets current FAA **sUAS** regulations and applicable federal regulations.

- f. The **sUAS** Program Manager will notify the MCFRS Public Information Officer (PIO) of all planned and training flights to allow the PIO to inform the public through social media of planned or scheduled **sUAS** operations.

SECTION 7. Procedure:

a. Administration

1. All deployments of **sUAS** must be specifically authorized by a Certified Chief Officer. The MCFRS has adopted the use of **sUAS** to provide an aerial visual perspective in responding to emergency situations and exigent circumstances that include events that could lead to serious injury or the loss of life, and for the following objectives:
 - A. Situational Awareness: To assist decision makers (e.g., command staff; first responders; city, county, and state officials) in understanding the nature, scale, and scope of an incident—and for planning and coordinating an effective response.
 - B. Search and Rescue: To assist in search operations for distressed or missing persons (e.g., Potomac River incidents, injured hunters, injured hikers, injured mountain bikers).
 - C. Tactical Deployment: To support the deployment of MCFRS personnel and equipment in emergency situations (e.g., building fires, brush fires, technical rescue operations, hazmat incidents, swiftwater rescue incidents).
 - D. Visual Perspective: To provide an aerial visual perspective to assist incident command staff with incident management.
 - E. Scene Documentation: To document an incident scene, special events, or other major event (e.g., disaster management, incident response, large-scale fire scene investigation).
2. **sUAS** operations will not collect, retain, or disseminate data in any manner that would violate the First Amendment or be used in any manner that would discriminate against persons based upon their ethnicity, race, gender, national origin, religion, sexual orientation, or gender identity, in violation of law. **sUAS** activities will be performed in a manner that is consistent with the Constitution, applicable laws, Executive Orders, and other Presidential Directives.
3. Mutual aid requests will be handled in accordance with the Metropolitan Washington Council of Governments' (MWCOC) Fire and Rescue Mutual Aid Operational Plan (MAOP).
4. Other requests for assistance will be authorized by the Fire Chief, or designee.

b. Procedures for **sUAS** Use:



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1. The MCFRS will obtain applicable authorizations, permits, or certificates required by the FAA prior to deploying or operating the **sUAS**, and these authorizations, permits, and certificates shall be maintained and current.
 2. The **sUAS** will be operated only by MCFRS personnel (**Remote Pilot in Command** and **Remote Pilots**) who have been trained in the operation of the system.
 3. The **RPIC** shall inspect and test **sUAS** equipment prior to each deployment to verify the proper functioning of all equipment and the airworthiness of the device.
 4. The **sUAS** equipment is the responsibility of **RPIC** and will be used with reasonable care to ensure proper functioning. Equipment malfunctions shall be brought to the attention of the program manager as soon as possible so that an appropriate repair can be made, or a replacement unit can be procured.
 5. The **sUAS** equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the MCFRS.
 6. All flights will be captured and recorded by software designed for that purpose. In addition, each deployment of the **sUAS** shall include information regarding the reason for the flight, time, date, location, **RPIC**, the authorizing Certified Chief Officer and a narrative of the operation.
- c. Training
1. MCFRS personnel who are assigned as **sUAS** operators must be in compliance with the agency-approved training program.
 2. MCFRS **Remote Pilots** must maintain an appropriate and valid FAA certificate.
 3. **sUAS** Program Manager will oversee ongoing training, proficiency and recertification of MCFRS **Remote Pilots** to ensure their competency and proficiency.
- d. Restrictions on using the **sUAS**
1. The **sUAS** shall be deployed and used only to support official MCFRS and public safety activities.
 2. The **sUAS** shall not be operated in an unsafe manner or in violation of FAA rules.
- e. Retention and Management
1. All **DME** recordings are the property of the MCFRS and shall be securely stored and retained according to the department's retention schedule and consistent with federal, state and county laws, unless a specific request is made to the Fire Chief, or designee, in writing to store them for a longer period of time.
 2. It is the responsibility of the **RPIC** to upload all data, video and/or **DME** by the end of their shift.



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3. **sUAS DME** and video will only be permitted to be recorded and/or downloaded on county-issued, authorized or maintained devices.

f. Records Requests and Release of Recordings

1. The public release of video and/or **DME** recordings will be conducted in accordance with applicable Federal, state and county laws and applicable MCFRS policy(s).
2. The release of recordings of an employee's death or serious injury shall not occur absent compelling law enforcement related reasons to release the recording or in situations where the release of these recordings is required by law.
3. Recordings will not be disseminated by any employee without receiving written permission of the Fire Chief or designee.

g. Supervision and Reporting

1. The **sUAS** program will be managed by the Special Operations Section Chief and will ensure that MCFRS **sUAS** devices are utilize in accordance with MCFRS policy and procedures.
2. The **sUAS** Program Manager or his designee will audit flight documentation at regular intervals. The results of the audit will be documented.
3. The Fire Chief shall include a summary of MCFRS **sUAS** utilization in an annual report
4. Any allegations or complaints of violations of this policy or Executive Regulation 22-00 AM, "Code of Ethics and On Duty Personal Conduct" from internal or external sources shall be investigated in accordance with Policy and Procedure 503, "Disciplinary Action Procedures".

SECTION 8. Cancellation:

Policy 24-10, *Unmanned Aircraft Systems (UAS)*, dated September 17, 2018

SECTION 9. Attachments:

None

Approved:

Fire Chief

March 15, 2021

Date