

FAA Seeks Local Law Enforcement Help to Control Unauthorized Drone Use

The Federal Aviation Administration (FAA) has reached out to local law enforcement to help pursue operators of unauthorized commercial drones.

Current FAA regulations prohibit the commercial use of drones, formally known as unmanned aircraft systems (UAS), unless the party receives a specific FAA waiver. So far, only a handful of waivers have been granted. As a result, most commercial drone use in the United States violates FAA regulations. Recreational or non-commercial use is permitted as long as the operation is conducted in accordance with law.

The FAA has announced it is asking for local law enforcement help because local agencies “are often in the best position to deter, detect, immediately investigate, and, as appropriate, pursue enforcement actions to stop unauthorized or unsafe UAS operations.”

The FAA law enforcement guidance listed six actions that local law enforcement agencies can undertake when faced with an unauthorized use of drones. They are:

- Witness identification and interviews
- Identification of operators
- Viewing and recording the location of the event
- Identifying sensitive locations, events, or activities
- Notification
- Evidence collection

The FAA guidance recognizes that local law enforcement already performs most of these activities. “However, other law enforcement processes, such as arrest and detention or non-consensual searches almost always fall outside of the allowable methods to pursue administrative enforcement actions by the FAA unless they are truly a by-product of a state criminal investigation. We do not mean to discourage use of these methods and procedures where there is an independent basis for them under state or local law. We simply wish to emphasize that work products intended for FAA use generally should involve conventional administrative measures such as witness interviews, ‘stop and talk’ sessions with suspected violators, consensual examination of vehicles and equipment, and other methods that do not involve court orders or the potential use of force by law enforcement personnel.”

Law Enforcement Guidance for Suspected Unauthorized UAS Operations, issued Jan. 8, 2015.

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