

# ***PRIVATE OPERATION OF DRONES***

## ***Issues for Farmers to Consider***

**A drone flown by a private individual must be operated in accordance with Federal Aviation Administration (FAA) regulations. Below is a summary of the regulations and suggestions on what to do if a private individual is operating a drone and collecting video over or near your property.**

### **Summary of FAA Regulations for Hobby or Recreational Drones (FAA Part 107)**

- Drones can be flown by private operators at or below 400 feet above the ground in Class G airspace. Farmland qualifies as Class G airspace.
- An operator of a drone must fly the drone within his/her visual line of sight (VLOS) or within the VLOS of a visual observer who is next to the operator.
- Drones cannot be flown directly over any person who is not affiliated with the operator of the drone.
- Drones cannot be operated in a careless or reckless manner.
- If an operator intentionally violates drone safety requirements or operates the drone in a careless or reckless manner, they could be liable for criminal and/or civil penalties.

### **What to Do if a Drone is Flying Over Your Farm**

- ***Do not shoot down the drone. Shooting down a drone is a federal crime.***
- The drone may be filming you. Remain calm and do not become combative as you are likely on video.
- You should film the drone and its operator, especially if the drone is flying close to livestock, over anyone on your property, or close to buildings or your home.
- You should advise the operator that they do not have permission to fly over and film your property.
- If the operator is located on your property, advise them that they are trespassing and ask them to leave. You should always know the boundaries of your property. If the operator is located on the side of the road and outside of the road right-of-way (ROW), then that is your property.
- You should contact local law enforcement if the operator does not leave your property.
- Also contact your local County Farm Bureau and let them know about the situation. The drone operator may be liable for trespassing, nuisance, invasion of privacy, stalking, and other violations. Your County Farm Bureau can refer you to an attorney.

