


TO: All City Department Heads  
FROM: Mike Matthes, City Manager   
DATE: July 20, 2018  
SUBJECT: Administrative Rules – Personnel Electronic Device Use and Unmanned Aircraft Systems

Pursuant to the authority granted the City Manager by Section 23 of the City Charter and Section 19-27 of the Personnel Code, I hereby promulgate and publish the following attached new rules:

Article III, Section F, 3. Inattentive Driving and Personal Electronic Device (PED) Use

Article III, Section U, Unmanned Aircraft Systems

This document will be placed on the internet on the Human Resources page and on the intranet on the Human Resources compliance page.

These rules apply to all City employees and are effective immediately. Department directors shall have this rule delivered to all employees and shall otherwise post this rule in those places customarily used to give notice to City employees.

**Department directors shall make a return to the Human Resources Director indicating whether the required distribution or posting has been done by August 17, 2018.**

Attachments

**ADMINISTRATIVE RULES:  
SUPPLEMENT TO CHAPTER 19  
AS AUTHORIZED BY SECTION 19-27  
NEW RULE  
July 23, 2018**

**ARTICLE III. GENERAL PROVISIONS**

**Section F. COMMUTING, MILEAGE REIMBURSEMENT, USE OF CITY VEHICLES, INATTENTIVE DRIVING AND PERSONAL ELECTRONIC DEVICE USE, ACCIDENTS, PARKING**

**3. Inattentive Driving and Personal Electronic Device (PED) Use**

- a. The City of Columbia has provided employees with certain equipment, including cellular phones, personal digital assistant (PDA) devices, laptop/portable computers and other equipment to assist employees in accomplishing their job duties.
- b. When using City of Columbia electronic device equipment, or when using the employee's own equipment for work purposes, employees are expected to exercise care and follow all operating instructions, safety standards, and guidelines.
- c. In particular, employees are not permitted to use cellular phones, PDA devices, laptop/portable computers, headphones, earbuds and all similar equipment for work purposes while operating a motor vehicle.
- d. Similarly, employees are not permitted to use any such devices at all while operating a City of Columbia-provided vehicle or while operating their own or another vehicle for work purposes, including traveling to or from business meetings.
- e. If it becomes necessary to use such devices while operating a motor vehicle, the vehicle must be brought to a complete stop in a safe manner and in a safe location and placed in "park."
- f. Use of these devices in any manner that is not in compliance with this policy is expressly prohibited.
- g. Employees are to refrain from doing any other activities while driving that may lead to being inattentive to their primary responsibility: ***to operate the motor vehicle safely with full attention given to driving.*** In addition to electronic device use, this includes grooming, writing or drawing, manually inputting information into a GPS or mapping device, or turning one's head substantially away from the path of travel to observe things in or outside the vehicle but contrary to the path of travel.
- h. As a limited exception, an employee may use a City issued or personal cell phone or other mobile device in a moving vehicle ONLY in an emergency situation which requires immediate communication with another employee, law

enforcement officials, or other emergency service to avoid injury or death to self or others, or avoid other dangerous conditions.

- i. Any employee who is involved in an accident while using City of Columbia equipment or vehicles, or while conducting City of Columbia business, must promptly report the incident to his or her immediate supervisor, regardless of the perceived cause of the accident.
- j. Violation of this policy, including the improper, careless, negligent, destructive, or unsafe use or operation of City of Columbia equipment or vehicles may result in disciplinary action, up to and including termination of employment.

**ADMINISTRATIVE RULES:  
SUPPLEMENT TO CHAPTER 19  
AS AUTHORIZED BY SECTION 19-27  
NEW RULE  
July 23, 2018**

**ARTICLE III. GENERAL PROVISIONS**

**SECTION U. UNMANNED AIRCRAFT SYSTEMS**

**1. Purpose**

The purpose of this policy is to enable the City of Columbia to comply with all federal, state and local legal requirements related to the use of unmanned aircraft systems (UAS) by the City of Columbia.

**2. Use/operation of UAS for City purposes**

City UAS shall be operated for city business purposes only. Use or operation of a UAS for City purposes shall only be done in compliance with the requirements set forth in 14 CFR Part 107, as amended, in effect on the date of the flight, or pursuant to the requirements set forth in a certificate of authority or exemption issued by the Federal Aviation Administration which is valid as of the date of the flight. Use or operation of a UAS for City purposes shall also comply with the requirements set forth in this policy.

- a. City Owned Property. City owned UAS may be operated on city owned property. Prior to flight, City remote pilots must seek the permission of the Department Director responsible for the property on which the City remote pilot intends to fly.
  - b. Easements, Public Right of Way and Utility Infrastructure. UAS operations conducted for the utility department and the public works department may occur within utility easements and public rights of way if the purpose of the operation is the management of infrastructure. City remote pilots must not operate a UAS above or in proximity to power plants, substations, or other critical utility infrastructure unless the flight is being conducted for the benefit of the utilities department and with the consent of the Director of Utilities or the Director's designee.
  - c. Private Property. City owned UAS may be operated on privately owned property with the written consent of the owner or occupant of the property, with the verbal consent of the property owner or occupant during an emergency, or pursuant to a search warrant, or in a situation where, as a matter of law, a search warrant is not required. The UAS must not be used for the purpose of peering or peeping into a home or occupied dwelling unit or the curtilage of the home or dwelling unit except upon issuance of a warrant issued by a judge or in a situation where, as a matter of law, a warrant is not required.
  - d. Use of UAS for Surveillance in Central Business District. Any use of a UAS with a camera for general surveillance purposes in the central business district requires compliance with Sections 24-130 through 24-133 of the City Code of Ordinances.
- 3. Use of Privately owned UAS or Imagery**. No employee shall operate a privately owned UAS for city business purposes or during city work time. City departments who desire to purchase UAS services or use UAS imagery obtained through the use of a remote pilot not employed by the City must consult with the Risk Manager, the City Purchasing Agent, and the Law Department prior to purchasing or using the services or imagery.

4. **Purchases of UAS and UAS related equipment for City use.** No City employee shall purchase a UAS or UAS related equipment unless the employee has first obtained the approval of the employee's Department Director.
5. **Pilots.** All City pilots must be properly trained and certified as required by federal law. City Remote Pilots shall operate the UAS in accordance with the requirements set forth in this policy and those requirements set forth in federal, state, and local laws, rules, regulations and any applicable Federal Aviation Administration issued *All Information for Operators (InFOs)*. City Remote Pilots must train visual observers. Visual Observers shall comply with the requirements of this policy, and all laws, regulations, rules, and InFOs. City Remote Pilots shall only use city staff as visual observers.
6. **Responsibilities of Department Directors or Directors Designee.** The Department Director or the Director's designee shall be the records custodian for the records related to the operation of the UAS which are required by law. The Department Director or the Director's designee shall register the City owned UAS with the Federal Aviation Administration, arrange for the marking of the registration on the UAS, timely file reports to the FAA as required by law, and upon request, make available to the FAA, the UAS for inspection or testing, and any associated documents/records related to the UAS which are required to be kept under federal and state laws, rules, and regulations. The Department Director or the Director's designee shall coordinate with the City's Risk Manager for risk management and insurance coverage of the UAS prior to flight of the UAS.
7. **Departmental Rules and Regulations related to a Department's use of UAS.** Department rules and regulations related to a specific department's use of UAS must be consistent with this policy and must be authorized pursuant to Section 19-22 of the City's Code of Ordinances. Departments that adopt a rule or regulation shall provide a copy of the approved department rule and regulation to the risk manager.