

Chapter 200-250 WAC

OPERATING UNMANNED AIRCRAFT ON THE STATE CAPITOL CAMPUS

WAC

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WAC 200-250-010 Purpose. The purpose of these rules is to make sure the use of unmanned aircraft on the state capitol campus is managed in a safe and secure manner by the department of enterprise services. Because of this, the state capitol campus is closed to launching, landing, or operating unmanned aircraft, subject to the conditions and exceptions described below.

[Statutory Authority: RCW 43.19.125. WSR 16-03-026, § 200-250-010, filed 1/11/16, effective 2/11/16.]

WAC 200-250-020 Definitions. (1) "Department" means the department of enterprise services.

(2) "Director" means the director of the department of enterprise services or his or her designee.

(3) "National airspace system" means is the airspace, navigation facilities and airports of the United States.

(4) "State capitol campus" means those grounds owned by the state and otherwise designated as the state capitol campus by the state capitol committee.

(5) "Unmanned aircraft" means a system or device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links).

This term includes all types of systems or devices that meet this definition that are used for any purpose or activity, including but not limited to governmental, private, recreational, or commercial uses. Some examples of unmanned aircraft are model airplanes, quadcopters, and drones.

[Statutory Authority: RCW 43.19.125. WSR 16-03-026, § 200-250-020, filed 1/11/16, effective 2/11/16.]

WAC 200-250-030 Use of unmanned aircraft is prohibited. Launching, landing, or operating an unmanned aircraft from or on lands and waters within the boundaries of the state capitol campus is prohibited except for the exclusions listed under WAC 200-250-040.

[Statutory Authority: RCW 43.19.125. WSR 16-03-026, § 200-250-030, filed 1/11/16, effective 2/11/16.]

WAC 200-250-040 Exclusions. The prohibition on launching, landing, or operating unmanned aircraft on the

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state capitol campus under WAC 200-250-030 does not apply to:

(1) Emergency law enforcement and fire response operations;

(2) Other operations designed to support responses to health and human safety emergencies such as search and rescue, health and environmental incidents;

(3) National defense activities;

(4) Activities necessary for the care and custody of the state capitol campus when those activities have prior written approval by the director.

[Statutory Authority: RCW 43.19.125. WSR 16-03-026, § 200-250-040, filed 1/11/16, effective 2/11/16.]

WAC 200-250-050 Requirements for obtaining advance approval of director under WAC 200-250-040

(4). (1) Use of unmanned aircraft must be approved in advance and in writing by the director.

(2) When considering approval, the director shall consider the criteria for the exception and whether the activity will:

(a) Present a clear and present danger to public health and safety;

(b) Cause injury or damage to state resources;

(c) Be contrary to the purposes for which the state capitol campus was established, or unacceptably impact the atmosphere of peace and tranquility maintained in natural, historic, or commemorative locations within the state capitol campus;

(d) Unreasonably interfere with the interpretive center, visitor services, other program activities, or with the administrative activities of enterprise services;

(e) Substantially impair the operations of enterprise services concessioners or contractors;

(f) Result in significant conflict with other existing uses.

(3) The director may condition any approval with appropriate time, place, and manner restrictions, which the requestor must follow.

(4) An approval issued by the director does not exempt the operator from obtaining the appropriate authorization from the federal aviation administration.

(5) Requirements put in place by the federal aviation administration on the use or operation of unmanned aircraft in the national airspace system must be followed. Nothing in this rule or enterprise services policies is intended to modify any requirement put in place by the federal aviation administration on the use or operation of unmanned aircraft in the national airspace system.

(6) Enterprise services will coordinate with the federal aviation administration regarding the use of unmanned aircraft on the state capitol campus as may be required.

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(7) Applicable policies and rules put in place by the department must be followed, including but not limited to chapters 200-200 through 200-220 WAC.

(8) Applicable state requirements must be followed.

[Statutory Authority: RCW 43.19.125. WSR 16-03-026, § 200-250-050, filed 1/11/16, effective 2/11/16.]