



UNMANNED AIRCRAFT SYSTEMS (UAS) POLICY

I. PURPOSE

This policy establishes strict Town-wide rules governing the ownership, deployment, recording capabilities, data collection, storage, retention, and destruction of Small Unmanned Aircraft Systems (UAS), commonly known as drones. The policy is intended to protect privacy and civil liberties, ensure transparency, and limit government surveillance.

This policy ensures that UAS technology may also be utilized to enhance municipal services such as land use planning, conservation, and public works operations, while strictly protecting the privacy and the First and Fourth Amendment rights of the citizens of Enfield.

II. AUTHORITY

This policy is adopted under the authority of the Enfield Selectboard and in accordance with applicable federal and New Hampshire law, including but not limited to Federal Aviation Administration (FAA) regulations (14 CFR Part 107) and New Hampshire RSA 33-A (Records Retention), as well as all applicable constitutional protections.

III. DEFINITIONS

Digital Media Evidence (DME): Digital recordings of images, sounds, and associated data.

Remote Pilot in Command (RPIC): Individual with final authority and responsibility for UAS operations.

Unmanned Aircraft System (UAS): Unmanned aircraft and all supporting components operated without a person onboard (drones).

Visual Observer (VO): Assists RPIC in maintaining situational awareness and safety.

IV. SCOPE

This policy applies to all Town employees, departments, elected and appointed officials, contractors, vendors, and mutual aid partners operating within Town limits.

V. POLICY PROVISIONS

A. PROGRAM ADMINISTRATION

1. APPOINTMENT OF UAS COORDINATOR

Select Board will conduct reviews of the program at least quarterly.

The Town Manager shall designate a UAS Program Coordinator. The Coordinator is responsible for:

- Program administration,
- Legal and regulatory compliance,
- Training oversight,
- Equipment management, and
- Policy update proposals to the Select Board,

2. **AUTHORIZED USES:**

Town-operated UAS shall be used only for official municipal purposes, including:

a) ***Public Safety Applications:***

- Search and rescue operations,
- Active fire response and investigations,
- Natural disaster damage assessment,
- Police activity pursuant to a judicial warrant,
- In the enforcement of a violent felony and the suspect poses an imminent threat of deadly force to others, and/or
- Training.

b) ***Municipal Department Applications:***

Conservation Commission: Monitoring town-owned conservation easements, assessing forest health, and identifying invasive species in hard-to-reach terrain.

Planning & Zoning: Obtaining aerial imagery for site plan reviews, monitoring large-scale development progress, and updating municipal tax maps.

Public Works Department (DPW): Inspecting critical infrastructure such as bridges, dams, sewer lines, and water towers. UAS may also be used for post-storm damage assessment.

Recreation Department: Capturing promotional footage of town parks and events, provided that such filming complies with privacy standards and participants are notified.

Non-law enforcement applications over private property requires written permission of the property owner. Non-law enforcement applications may be requested by town staff and committees but are not guaranteed. Town boards and staff shall not delay time-sensitive decisions by a request for or lack of a UAS flight or data. Municipal UAS flights or data shall not be required as a condition of approval for board or staff decisions.

3. **PROHIBITED USES:**

UAS shall not be operated for any purposes not expressly outlined and permitted in this policy under previous section V.A.2.

The following uses are expressly prohibited:

- a) Patrol or neighborhood monitoring.
- b) UAS shall not be used to conduct surveillance of individuals or private property without a judicial warrant.
- c) No recorded footage or imagery shall be gathered by a town-operated UAS for the purpose of investigation, criminal or otherwise, without a judicial warrant.
- d) Any footage captured incidentally during a municipal flight that reveals criminal activity shall not be admissible in court unless the flight was conducted under a judicial warrant.
- e) Surveillance of peaceful assemblies or other constitutionally protected activities
- f) Use of or attachment of speed enforcement or license plate reading technology
- g) Use of or attachment of facial recognition, biometric identification, or similar automated tools are prohibited both on the UAS and on any recording made using a UAS without a judicial warrant.
- h) Weaponization of drones
- i) General intelligence gathering or data mining
- j) Municipal code enforcement
- k) Personal or non-governmental purposes
- l) Operations in violation of FAA or state law

4. PERSONNEL AUTHORIZATION

Only authorized personnel may participate in UAS operations, including:

- Remote Pilot in Command (RPIC or pilot)
- Visual Observers (VO)
- Support personnel
- Supervisors

B. TRAINING AND QUALIFICATIONS

All RPICs shall hold a valid FAA Remote Pilot Certificate under FAA Small Unmanned Aircraft Systems (UAS) Rule (Part 107).

All RPICs shall receive:

- Training modules in the First and Fourth Amendment of the U.S. Constitution, ensuring that operators respect the reasonable expectation of privacy of residents, and
- Training and annual review of this policy.

C. OPERATIONAL PROCEDURES

1. LEGAL COMPLIANCE

All UAS operations must comply with:

- FAA regulations
- New Hampshire statutes
- Applicable constitutional protections (e.g. First and Fourth Amendment)

2. AUTHORIZATION

Each deployment must be approved by the UAS Program Coordinator or the Incident Commander for Public Safety Applications as authorized in Section V.A.2.a of this policy.

3. DOCUMENTATION

Each flight must be detailed in a publicly available flight log. Documentation shall include:

- Mission purpose,
- Date, time, and location,
- Personnel involved,
- Approving authority, and
- Operational summary.

Law enforcement flights are exempt until the investigation and/or court proceedings are concluded at which time flight logs will be updated and made public. All other requirements of this policy remain in force.

4. PUBLIC NOTIFICATION

The public shall be notified no less than 7 days (1 week) prior to any scheduled flights.

Public notification requirements are waived in cases of Public Safety Applications as defined in section V.A.2.a of this policy. Written notification of flights under these circumstances must be provided to the Town Manager within 48 hours. All other requirements of this policy remain in force.

D. DIGITAL MEDIA EVIDENCE (DME)

1. OWNERSHIP

All DME is the property of the Town of Enfield.

2. AUTHORIZED RECORDING

Recording functions shall be disabled by default. Recording or photography is permitted only under the following circumstances:

- With a judicial warrant, or
- Prior Select Board approval

Recording shall not occur under any other circumstances unless expressly authorized in advance by the Select Board on a case-by-case basis.

3. DATA SECURITY AND ACCESS

- All recordings must be encrypted in storage and transmission.
- Access shall be limited to designated authorized personnel.
- All access shall be logged and subject to audit.
- Data shall only be accessed for official purposes.
- Unauthorized copying, sharing, deletion, or distribution is prohibited.
- Law enforcement data shall be stored in accordance with Criminal Justice Information Services (CJIS) standards.

4. DATA RETENTION

- All recordings shall comply with New Hampshire records laws.
- Footage not required for a specific municipal purpose shall be deleted every 30 days to prevent the accumulation of unnecessary personal data.
- Evidentiary data shall be retained per applicable legal requirements pursuant to NH RSA 33-A:3-a Disposition and Retention Schedule.
- UAS data shall not be used to build databases or predictive systems.

5. PUBLIC RECORDS

UAS data is subject to NH RSA 91-A (Right-to-Know Law). The town shall redact footage that depicts the interior of private dwellings, vehicles, or people not relevant to the municipal purpose of the flight.

E. MAINTENANCE

- Equipment shall be maintained per manufacturer's recommendations.
- Only authorized and trained personnel may perform maintenance.
- Maintenance logs shall be retained.

F. COMPLAINTS

Complaints shall be investigated in accordance with Town administrative procedures. Allegations involving civil rights violations shall receive priority review.

G. COMPLIANCE

Violation of this policy will result in disciplinary action consistent with Town personnel policies and applicable law.

H. CONTRACTED SERVICES

Any third-party contractor hired by the Town of Enfield to operate a UAS must sign an agreement to adhere to this policy. Contractors are prohibited from selling or sharing data collected during their service for the town.

VI. POLICY REVIEW

This policy shall be reviewed by the Selectboard annually, to ensure continued compliance with applicable federal and New Hampshire law and to address operational needs and public concerns.

Adopted: June 15, 2026

Alice Kennedy, Chair

Katherine D. P. Stewart, Vice-Chair

Erik Russell

John W. Kluge

Tracy Young
Enfield Select Board