



EDDIE BONINE, M.Ed., CAA
Executive Director

LEE SANDERS
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Assistant Executive Directors

To: LHSAA Executive Committee Members
LHSAA Member Schools / Principals
LHSAA Member Schools / Superintendents
LHSAA Director of Officials / Lee Sanders

Re: Unmanned Aerial Vehicle / Position Statement

Date: August 8, 2024

As Unmanned Aerial Vehicles (*UAVs*), or commonly known as “*drones*”, continue to advance it is important that our association’s position on the matter adapts with these changes. In 2014, the Louisiana Legislature did take a stance and passed *HB1029*, which is now applicable state statute *LSA-R.S. 14.337*. Since then, the state has taken further action with the addition of *LSA-R.S. 2:2* in 2021 which states that the state has exclusive jurisdiction to regulate all unmanned aircraft systems and unmanned aerial systems.

The F.A.A. has developed its guidelines in relation to athletic events in recent years by addressing professional sports and some collegiate venues. In October of 2021, the FAA issued an updated ban on flights over open-air college and professional stadiums with seating capacities of 30,000 or more. The F.A.A.’s guidelines now ban unmanned or remote-controlled aircraft “where either a regular or postseason MLB, NFL or NCAA Division I football game is occurring.” The FAA update also banned flights at NASCAR and Indy Car races.

The FAA guidelines, though, don’t address drones showing up at smaller events, including those at the college and high school levels, and some are dealing with the proliferation of drones in different ways.

This said, and once again attempting to err on the side of safety for participants and spectators alike, it is the opinion of this office that the use of drones within the confines of stadiums, fields and arenas for video and/or still photography, before, during, and/or after an LHSAA sanctioned regular and/or post season athletic event(s) will continue to be prohibited until further notice.

LHSAA... Beyond the Game

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However, if this office receives a prior request through the *drone approval form* on the LHSAA website, explicitly stating that the individual(s) accept full liability for any incidents or accidents causing bodily injury or property damage and confirming that the drone operator meets all necessary requirements and holds the required certifications, authorization may be granted. This authorization will be in accordance with state statute, ensuring compliance with established procedures and state law. Additionally, this notification will involve local law enforcement, with penalties enforced as prescribed by law. It is important to note that it is at the host site's discretion to allow drone usage by its opponents. Both parties' signatures must be obtained and submitted with the *drone approval form* when an away team is operating a drone. School administration, game officials, and designated personnel will have the authority to enforce stoppage of play until the air space is cleared.

By completing the drone approval form the respective member school agrees to:

- Accept full liability for any/all incidents and/or accidents causing bodily injury and property damage.
- Restrict drone flight from entering over the playing surface, players box, or any other persons.
- Comply with all state statutes regarding the use of drones. (*LSA-R.S. 14.337 & of LSA-R.S. 2:2*)
- Keep drone 30-150 feet in the air once launched.
- Keep drone behind endzones (no closer than ten yards) and not along the sidelines.
- Restrict all commercial use of the drone during LHSAA events.
- Have the drone approval form signed and approved by opposing school principal or athletic director and the LHSAA Executive Director before a contest begins.

For any questions, comments, or concerns please contact, LHSAA Director of Communications, Ethan Anderson at banderson@lhsaa.org. Your participation and continued cooperation is always greatly appreciated.

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Best Regards,

Eddie Bonine
Executive Director
LHSAA

Ethan W. Anderson
Director of Communications
LHSAA

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Drone Approval Form

INSERT HIGH SCHOOL

INSERT SCHOOL ADDRESS

INSERT DATE

To the LHSAA,

INSERT HIGH SCHOOL is requesting permission to fly a drone during the 2024-25 sports season.

Sport: **ENTER SPORT**

Drone: **ENTER MODEL**

Pilot(s): **ENTER PILOT(S)**

INSERT HIGH SCHOOL Agrees To:

- Accept full liability for any/all incidents and/or accidents causing bodily injury and property damage.
- Restrict drone flight from entering over the playing surface, players box, or any other persons.
- Comply with all state statutes regarding the use of drones. (LSA-R.S. 14.337 & of LSA-R.S. 2:2)
- Keep drone 30-150 feet in the air once launched.
- Keep drone behind endzones (no closer than ten yards) and not along the sidelines.
- Restrict all commercial use of the drone during LHSAA events.
- Have the drone approval form signed and approved by opposing school principal or athletic director and the LHSAA Executive Director before a contest begins.
- **Have this form signed and approved by opposing school principal or athletic director before contest.**
- **Send this form back to LHSAA Executive Director with all signatures before contest begins.**

School Principal or Athletic Director

LHSAA Executive Director
Eddie Bonine

Opposing Principal or Athletic Director

*****ONCE ALL SIGNATURES HAVE BEEN OBTAINED, PROVIDE THIS DOCUMENT TO OFFICIALS*****

RS 14:337

§337. Unlawful use of an unmanned aircraft system

A. Unlawful use of an unmanned aircraft system is either of the following:

(1) The intentional use of an unmanned aircraft system to conduct surveillance of, gather evidence or collect information about, or photographically or electronically record a targeted facility without the prior written consent of the owner of the targeted facility.

(2) The intentional use of an unmanned aircraft system over the grounds of a state or local jail, prison, or other correctional facility that incarcerates or detains juveniles or adults accused of, convicted of, sentenced for, or adjudicated delinquent for violations of criminal law without the express written consent of the person in charge of that state or local jail, prison, or other correctional facility.

B. As used in this Section, the following definitions shall apply:

(1) "Federal government" means the United States of America and any department, agency, or instrumentality thereof.

(2) "State government" means the state of Louisiana and any department, agency, or instrumentality thereof.

(3) "Targeted facility" means the following systems:

(a) Petroleum and alumina refineries.

(b) Chemical and rubber manufacturing facilities.

(c) Nuclear power electric generation facilities.

(d) School and school premises as defined by R.S. 14:40.6(B).

(e) Critical infrastructure as defined by R.S. 14:61(B).

(f) Grain elevators and grain storage facilities.

(4) "Unmanned aircraft system" means an unmanned, powered aircraft that does not carry a human operator, can be autonomous or remotely piloted or operated, and can be expendable or recoverable.

"Unmanned aircraft system" does not include any of the following:

(a) A satellite orbiting the earth.

(b) An unmanned aircraft system used by the federal government or a person who is acting pursuant to contract with the federal government to conduct surveillance of specific activities.

(c) An unmanned aircraft system used by the state government or a person who is acting pursuant to a contract with the state government to conduct surveillance of specific activities.

(d) An unmanned aircraft system used by a local government law enforcement agency or fire department.

(e) An unmanned aircraft system used by a person, affiliate, employee, agent, or contractor of any business which is regulated by the Louisiana Public Service Commission or by a local franchising authority or the Federal Communications Commission under the Cable Television Consumer Protection and Competition Act of 1992 or of a municipal or public utility, while acting in the course and scope of his employment or agency relating to the operation, repair, or maintenance of a facility, servitude, or any property located on the immovable property which belongs to such a business.

C.(1) Nothing in this Section shall prohibit a person from using an unmanned aircraft system to conduct surveillance of, gather evidence or collect information about, or photographically or electronically record his own property that is either of the following:

(a) Located on his own immovable property.

(b) Located on immovable property owned by another under a valid lease, servitude, right-of-way, right of use, permit, license, or other right.

(2) Third persons retained by the owner of the property described in Paragraph (1) of this Subsection shall not be prohibited under this Section from using an unmanned aircraft system to conduct activities described in Paragraph (1) of this Subsection.

D. The provisions of this Section shall not apply to any of the following:

(1) Any person operating an unmanned aircraft vehicle or unmanned aircraft system in compliance with federal law or Federal Aviation Administration authorization or regulations or to any person engaged in agricultural commercial operations as defined in R.S. 3:41.

(2) The operation of an unmanned aircraft by institutions of higher education conducting research, extension, and teaching programs in association with university sanctioned initiatives.

E.(1) Whoever commits the crime of unlawful use of an unmanned aircraft system as provided in Paragraph (A)(1) of this Section shall be fined not more than five hundred dollars, or imprisoned for not more than six months, or both.

(2) On a conviction for a second or subsequent offense as provided in Paragraph (A)(1) of this Section, the offender shall be fined not less than five hundred dollars nor more than four thousand dollars, or imprisoned, with or without hard labor, for not less than six months nor more than two years, or both.

(3) Whoever commits the crime of unlawful use of an unmanned aircraft system as provided in Paragraph (A)(2) of this Section shall be fined not more than two thousand dollars, or imprisoned for not more than six months, or both.

(4) On a conviction for a second or subsequent offense as provided in Paragraph (A)(2) of this Section, the offender shall be fined not less than two thousand dollars nor more than five thousand dollars, or imprisoned, with or without hard labor, for not more than one year, or both.

F. The provisions of this Section shall not apply to unmanned aircraft systems used for motion picture, television, or similar production where the filming is authorized by the property owner.

Acts 2014, No. 661, §1; Acts 2016, No. 529, §1, eff. June 17, 2016; Acts 2016, No. 539, §1; Acts 2021, No. 265, §1, eff. June 14, 2021.

RS 2:2

§2. Regulation of unmanned aerial systems and unmanned aircraft systems; preemption

A. Subject to the provisions of Subsection C of this Section and except as otherwise provided by law:

(1) The state shall have exclusive jurisdiction to regulate all unmanned aircraft systems and all unmanned aerial systems.

(2) State law shall supersede and preempt any rule, regulation, code, or ordinance of any political subdivision or other unit of local government. Nothing in this Section shall preempt the exclusive sovereignty of airspace of the United States as set forth in 49 U.S.C. 40103. Any interpretation or application of any provision of this Section that contradicts the exclusive authority of the United States government to regulate unmanned aircraft systems and all unmanned aerial systems shall be null.

B. As used in this Section, the following phrases shall have the following meanings:

(1) "Unmanned aerial system" means an unmanned aircraft and all associated support equipment, control station, data links, telemetry, communications, and navigation equipment necessary to operate the unmanned aircraft. The system may include drones, remote-controlled aircraft, unmanned aircraft, or any other such aircraft that is controlled autonomously by computer or remote control from the ground.

(2) "Unmanned aircraft system" means an unmanned, powered aircraft that does not carry a human operator, may be autonomous or remotely piloted or operated, and may be expendable or recoverable. "Unmanned aircraft system" does not include any of the following:

(a) A satellite orbiting the earth.

(b) An unmanned aircraft system used by the federal government or a person who is acting pursuant to contract with the federal government to conduct surveillance of specific activities.

(c) An unmanned aircraft system used by the state government or a person who is acting pursuant to a contract with the state government to conduct surveillance of specific activities.

(d) An unmanned aircraft system used by a local government law enforcement agency or fire department.

(e) An unmanned aircraft system used by a person, affiliate, employee, agent, or contractor of any business that is regulated by the Louisiana Public Service Commission, while acting in the course and scope of his employment or agency relating to the operation, repair, or maintenance of a facility, servitude, or any property located on the immovable property belonging to such business.

(f) An unmanned aircraft system used by a person, affiliate, employee, agent, or contractor of any business that is regulated by a local franchising authority, while acting in the course and scope of his employment or agency relating to the operation, repair, or maintenance of a facility, servitude, or any property located on the immovable property belonging to such business.

(g) An unmanned aircraft system used by a person, affiliate, employee, agent, or contractor of any business that is regulated by the Federal Communications Commission under the Cable Television Consumer Protection and Competition Act of 1992 or under Part 73 of Title 47 of the United States Code of Federal Regulations, while acting in the course and scope of his employment or agency relating to the operation, repair, or maintenance of a facility, servitude, or any property located on the immovable property belonging to such business.

(h) An unmanned aircraft system used by a person, affiliate, employee, agent, or contractor of a municipal or public utility while acting in the course and scope of his employment or agency relating to the operation, repair, or maintenance of a facility, servitude, or any property located on the immovable property belonging to such municipal or public utility.

(i) An unmanned aircraft system used by a person, affiliate, employee, agent, or contractor of any business that is regulated by the Federal Railroad Administration, while acting in the course and scope of his employment or agency relating to the operation, repair, or maintenance of a facility, equipment, servitude, or any property located on the immovable property belonging to such business.

C. If federal law or regulation preempts any provision of this Section, that provision of this Section shall be null.

Acts 2017, No. 238, §1, eff. June 14, 2017; Acts 2021, No. 328, §1.