

1 **Privacy best practices for the operation of Unmanned Aerial Vehicles**

2 **Section 1: Applicability**

3 These best practices are intended to apply to all uses of UAVs including both commercial and  
4 non-commercial purposes.

5 **Section 2: Definitions**

6 Operator: for purposes of these best practices, “operator” shall mean the person or entity  
7 controlling a UAV.

8 UAV or Unmanned Aerial Vehicle: for purposes of these best practices, “UAV or Unmanned  
9 Aerial Vehicle” means an aircraft that is operated without the possibility of direct human  
10 intervention from within or on the aircraft.

11 **Section 3: Requirements of UAV Operations**

12 (a) An operator should not knowingly and intentionally use a UAV to videotape, film,  
13 photograph, record, or view by electronic means a person:

14 (1) Without the knowledge or consent of the person being videotaped, filmed,  
15 photographed, recorded, or viewed by electronic means;

16 (2) Where the person being videotaped, filmed, photographed, recorded, or viewed by  
17 electronic means has a reasonable expectation of privacy;<sup>i</sup> and

18 (3) Except to the extent that the person being videotaped, filmed, photographed, recorded,  
19 or viewed by electronic means is reasonably unidentifiable.

20 (b) An operator should not use a UAV to violate existing law.

21 (c) An operator of a UAV should strive to comply with these best practices.

22 **Section 4: Transparency Requirements**

23 (a) A commercial operator should have an online privacy policy describing the purposes for  
24 which data is collected, the type of data collected, and a point of contact for individual  
25 complaints.

26 (b) A non-commercial operator should clearly and consciously label their UAV with the name  
27 and contact information of the UAV’s owner or operator.

28 **Section 5: Data Security Mandate**

29 (a) When an operator anticipates the collection of personal information of another, an  
30 operator should take reasonable steps to store that information in a secure manner.

31 **Section 6: Protecting First Amendment and Safety**

32 (a) Nothing in these best practices should be construed to impede the use of UAVs for  
33 purposes of news or public information services.

34 (b) Nothing in these best practices should be construed to impede the use of UAVs for  
35 purposes of safety and rescue responses.

- 36 (c) These best practices are not intended to supersede the authority of the Federal Aviation  
37 Administration.
- 38 (d) These best practices should not take precedent over the safe operation of a UAV.

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<sup>i</sup> Based on Arkansas law <ftp://www.arkleg.state.ar.us/acts/2015/Public/ACT293.pdf>