

# **Legal and Ethical use of Aerial Photography Policies for Photographic Society of America Divisions and International Exhibitions**

September 2019/Revised March 2020

The interest of using aerial photography is growing and the legal and ethical use of drones, balloons and aircraft by photographers is needed within the PSA organization. The following policies and guidelines shall govern their use in all PSA Divisions and International Exhibitions. Aerial images captured by drone, balloon or aircraft may be used for division competitions, international exhibitions, portfolios of distinctions and audio-visual programs as described in the rules for each event if they comply with both the legal and ethical policies included herein.

## **Drone Photography Rules (legal operation):**

Drones are legally described as an unmanned aircraft system (UAS) which can produce either a single image or multiple images which are shown as video and is controlled by an operator (photographer) on the ground.

All UAS operators are responsible for knowing and following all laws and regulations where they operate, whether local, state, national or international, particularly in parks, refuges, recreational and designated wilderness areas.

The following United States FAA Requirements as of August 2019 are included as a courtesy. Contact the FAA at [www.FAA.gov/UAS](http://www.FAA.gov/UAS) or the country where photographing for the most up-to-date rules:

1. The rules for the use and flight of UAS are different in different countries and any PSA member must follow and adhere to the rules of the country where the images are captured.
2. In the United States UAS operation is governed by the Federal Aviation Administration, their rules can be found at [www.FAA.gov/UAS](http://www.FAA.gov/UAS) , under 14CFR 107.
3. All UAS must be registered, and the assigned aircraft must display its registration number. It is highly suggested that the operator's information also be attached to the aircraft. This can be obtained at <https://FAADroneZone.faa.gov/#/>
4. All operators (photographers) must obtain, at a minimum, a recreational pilot's license from the FAA, or the governing body of the country in which the UAS is being flown.
5. Within the United States the following FAA rules must be adhered to:
  - a. Must Fly below 400 feet
  - b. Must weigh less than 55 pounds
  - c. Must be flown within the visual line of sight of the pilot
  - d. Must follow any safety-based guidelines of any local governing body

- e. May not be flown in federal regulated areas
- f. Never fly near other aircraft
- g. May not fly over large groups of people, public events or populated stadiums within three nautical miles of the stadium or venue
- h. May not fly near or over emergency response efforts
- i. Must be over 13 years old to operate
- j. May not fly in restricted airspace, such as within five miles of an airport, terminal radar areas, national security areas, military operation areas, around unmanned balloons and controlled firing areas
- k. Other areas that are restricted from flight operation includes thermal plumes, smoke stacks and cooling towers
- l. Should not be flown during extreme weather conditions, such as but not limited to, thunderstorms, tornados, hail, fog or low ceiling visibility

**Aerial Photography Policies (ethical):** One of the tenets of photography, is that the safety and well-being of the subject, photographer and surroundings is of paramount importance over the capturing of the photograph. The purpose of this section is to prevent any interference with other individuals or animals which will or may cause a disturbance in their normal activity or disrupt the way an individual or animal interacts with its environment.

1. PSA members may not fly drones above people for the purpose of photographing them or their activity, unless permission is granted in writing before any photographs are taken from the drone.
2. PSA Members may not fly drones for the purpose of photographing animals or birds in any circumstances
3. PSA members may not fly a drone in any designated wilderness area.
4. While complying with the restrictions listed above, PSA Members may photograph scenery/landscapes from a drone provided no laws or regulations are broken in the country where the drone is used.

**Aerial Photography (International):** Many countries have their own rules and regulations governing aerial photography, especially drone, usage. It is the responsibility of the Photographer (pilot) to be informed of the polices of the country or region in which they are flying (photographing). When submitting aerial images that depict a foreign country the photographer must include a statement that all applicable rules and regulations of that country have been observed.

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