



DEPARTMENT OF THE NAVY

NAVAL STATION NEWPORT
690 PEARY STREET
NEWPORT, RI 02841-1522

IN REPLY REFER TO:

NAVSTANPTINST 5030.1

XO

MAR 14 2016

NAVAL STATION (NAVSTA) NEWPORT INSTRUCTION 5030.1

Subj: NAVSTA NEWPORT RI DRONES, UNMANNED, REMOTE CONTROLLED SYSTEMS POLICY

Ref: (a) DoD Directive 5030.61
(b) OPNAVINST 3710.7U
(c) DoD Instruction 4540.01
(d) SECNAVINST 5000.2E
(e) SECNAVINST 5400.15 CH-1
(f) OPNAVINST 3750.6S
(g) COMNAVAIRFORINST 4790.2B
(h) FAA Order 8900.1
(i) US DOT/FAA AC No:91-63D
(j) 18 USC § 795
(k) 49 U.S.C. §44704
(l) FAA Modernization and Reform Act of 2012; P.L. 112-95, §§ 333, 336, 126 Stat. 15.

1. Purpose. To establish policies regarding the use and possession of Unmanned Aircraft Systems (UAS) onboard and in the airspace of NAVSTA Newport.

2. Background. NAVSTA Newport provides various training areas and supports various training evolutions. Currently, NAVSTA Newport tenants do not utilize platforms which would warrant Certificates of Waiver or Authorization (COA) from the Federal Aviation Administration (FAA), which would grant specific units or commands authorization to use UAS for the purpose of required missions.

3. Policy

a. The operation of any remote-controlled or remote-operated robotics or unmanned system, including but not limited to: cars, boats, planes, helicopters, drones, or watercraft; is prohibited without the express consent of the Commanding Officer (CO) of NAVSTA Newport.

b. All military UAS operations conducted in the airspace of NAVSTA Newport must follow the guidelines set forth by

MAR 14 2016

references (a) through (l) and must be approved by the CO in accordance with this instruction. Further, due to the proximity of Newport State Airport, any request for operation of UAS in the airspace of NAVSTA Newport must be accompanied by consent from Newport State Airport for UAS operation.

c. For operation of UAS, regardless of size, all UAS, owned, leased, operated, used, tested, demonstrated, designed, or modified by a Department of Defense (DoD) must have an airworthiness assessment in accordance with DoD airworthiness policy and receive a valid COA. All other operators of UAS must receive a valid COA; and have a certificate of airworthiness or meet a valid exception to the FAA airworthiness requirement. If for some reason a COA is not needed for UAS operation, then the reason for the exception to the COA requirement shall be included in application for use onboard NAVSTA Newport.

d. The use of drones to photograph or record video of the NAVSTA Newport without the consent of the CO is prohibited.

e. With no intent to limit innovation, experimentation, or operational advantages that the operation of UAS may provide, all units and commands onboard NAVSTA Newport shall comply with existing policies, regulations, and international treaties prior to procurement or operation of any UAS.

f. Persons found in violation of this order are subject to prosecution through the Uniform Code of Military Justice (UCMJ).

g. The possession of all privately owned UAS by civilians or service members operating in their private capacity is strictly prohibited onboard NAVSTA Newport with the following exceptions:

(1) Persons whose residence is onboard NAVSTA Newport may possess a privately owned UAS onboard NAVSTA Newport for transporting to and from and storage at their residence. Persons in possession of a personal UAS shall show proof of residency if stopped by NAVSTA security personnel. Privately owned UAS need not be registered with NAVSTA. Privately owned UAS that also qualify as personal weapons, fireworks, or other contraband under reference (h) are not permitted under this exception. Persons meeting this exception are still prohibited from operating UAS onboard or in the airspace of NAVSTA Newport.

MAR 14 2016

(2) Persons may possess a UAS onboard NAVSTA Newport if they obtain consent of the CO.

h. All civilian owned UAS discovered onboard NAVSTA Newport, unless meeting an above exception, are contraband and subject to seizure by NAVSTA Newport security personnel.

i. If found onboard NAVSTA Newport, UAS may be subject to forfeiture and/or destruction upon seizure. All recorded video or other data collected on confiscated UAS shall be subject to search, seizure, and destruction.

j. This instruction is intended to be punitive in nature and violation of this instruction subjects the offender to prosecution through the UCMJ or in Federal court.

4. Responsibilities

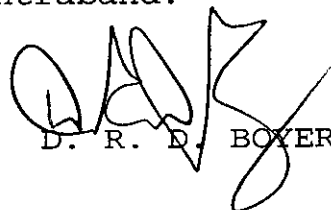
a. NAVSTA Newport Security Department, N3AT

(1) Ensure all unauthorized UAS found on board NAVSTA are handled as contraband.

b. NAVSTA Newport Legal Department, N00J

(1) Process all requests for the return of seized contraband, making a recommendation as to whether the item should be returned to the requestor.

(2) Provide legal advice regarding implementation of this instruction, specifically regarding whether a specific item constitutes contraband.


D. R. D. BOYER