



DEPARTMENT OF THE ARMY
UNITED STATES ARMY GARRISON BAVARIA
UNIT 28130
APO AE 09114-8130

IMBA-PL

MEMORANDUM FOR All Members of the USAG Bavaria Community

SUBJECT: USAG Bavaria Policy Memorandum #19, Unmanned Aircraft Systems (UAS)

1. References:

- a. DoDI O-2000.16.V1 & V2, Department of Defense (DoD) Antiterrorism (AT) Program Implementation: DoD AT Standards.
- b. DoDI 2000.12, DoD Antiterrorism Program.
- c. Memorandum, Office of the Secretary of Defense, 1 Jun 18, subject: Commercial-Off-The-Shelf (COTS) Unmanned Aircraft Systems Implementation Guidance.
- d. AE Reg 525-31, Antiterrorism.
- e. "Drone-Regulation" - German Regulation on the Operation of Unmanned Aerial Vehicles ("Drohnenverordnung" - Verordnung zur Regelung des Betriebs von unbemannten Fluggeräten, in Kraft seit 07.04.2017).
- f. German Air Traffic Regulation (Luftverkehrs-Ordnung - LuftVO).
- g. German Air Traffic Licensing Regulation (Luftverkehrs-Zulassungs-Ordnung - LuftVZO).

2. This memorandum establishes policy on operating UAS on USAG Bavaria controlled installations. The policy applies to all military members, DoD civilian employees, contractors, dependents, sponsored guests, and host nation employees. In accordance with 14 Code of Federal Regulations (CFR), part 91, the terms, Remote Controlled (RC) aircraft, model aircraft, and drone are all considered UAS as they are devices that are "used or [are] intended to be used for flight in the air with no onboard pilot." This policy does not apply to UAS that is managed by a formal program of record under a service level program office.

3. The operation of UAS on any USAG Bavaria installation is generally prohibited. The policy applies to the following:

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a. DoD-owned COTS UAS without an exemption to operate granted by Under Secretary of Defense for Acquisition and Sustainment (USD A&S) and Department of Defense Chief Information Officer (DoD CIO).

b. Recreational use of UAS.

4. Exceptions to this policy regarding the recreational use of UAS may be granted by the Garrison Commander.

a. Any requests for exceptions to this policy must be accompanied by a written legal review from the 7ATC OSJA National Security Law Division.

b. Any proposed use of UAS on an USAG Bavaria installation must be in compliance with German law and be accompanied by a legal review pursuant to paragraph 5, below.

5. German law regarding UAS. The following rules do not apply to model aircraft training areas. The only rule for such areas is that UAS have a tag with the name and address of its owner. For more information and frequently asked questions regarding local laws for the use of UAS, visit www.bmvi.de/drohnen.

a. UAS must only be operated in the range of vision. In accordance with the Federal Ministry of Transport and Digital Infrastructure, "[f]lights using video goggles will be permitted if they are at an altitude of up to 30 metres (sic) and the device does not weigh more than .25 kg or it is in the visual line of sight of another person who is able to warn the operator of any danger. These will be deemed to be visual line of sight operations."

b. Weight-based rules for RC aircraft and UAS (see enclosure).

(1) More than 250 grams: device must have a non-removable label with the owner's name and address.

(2) More than 2 kilograms: operator must present proof of knowledge and device must have a non-removable label with the owner's name and address. Proof of knowledge may include pilot's license or certificate from an approved air sports association.

(3) More than 5 kilograms: same requirements as 2+ kg class plus permission of the aeronautical authority to operate the RC aircraft or UAS.

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c. Altitude-based rules for RC aircraft and UAS.

(1) Below 100m: see weight-based rules for RC aircraft and UAS.

(2) Above 100m:

(a) UAS: generally banned (exception can be requested from the aeronautical authority).

(b) RC aircraft: mandatory proof of knowledge. Proof of knowledge may include pilot's license or certificate from an approved air sports association.

6. Prohibitions.

a. Operating RC aircraft or UAS heavier than 250 grams over a housing area.

b. Operating RC aircraft or UAS with a camera, microphone, radio wave receiver, transmitter, or similar equipment over a housing area.

c. Operating RC aircraft or UAS at or over sensitive areas like airports, locations of a police or emergency services' action, arterial roads or gatherings of people.

d. Personnel should immediately report any UAS operated on or near a USAG Bavaria installation to the MP station at DSN 476-3398/3397, CIV 09662-83-3398/3397 (Vilseck and Grafenwoehr), DSN 466-2812/2713, CIV 09472-83-2812/2713 (Hohenfels) or DSN 440-3801/3827, CIV 08821-750-3801/3827 (Garmisch).

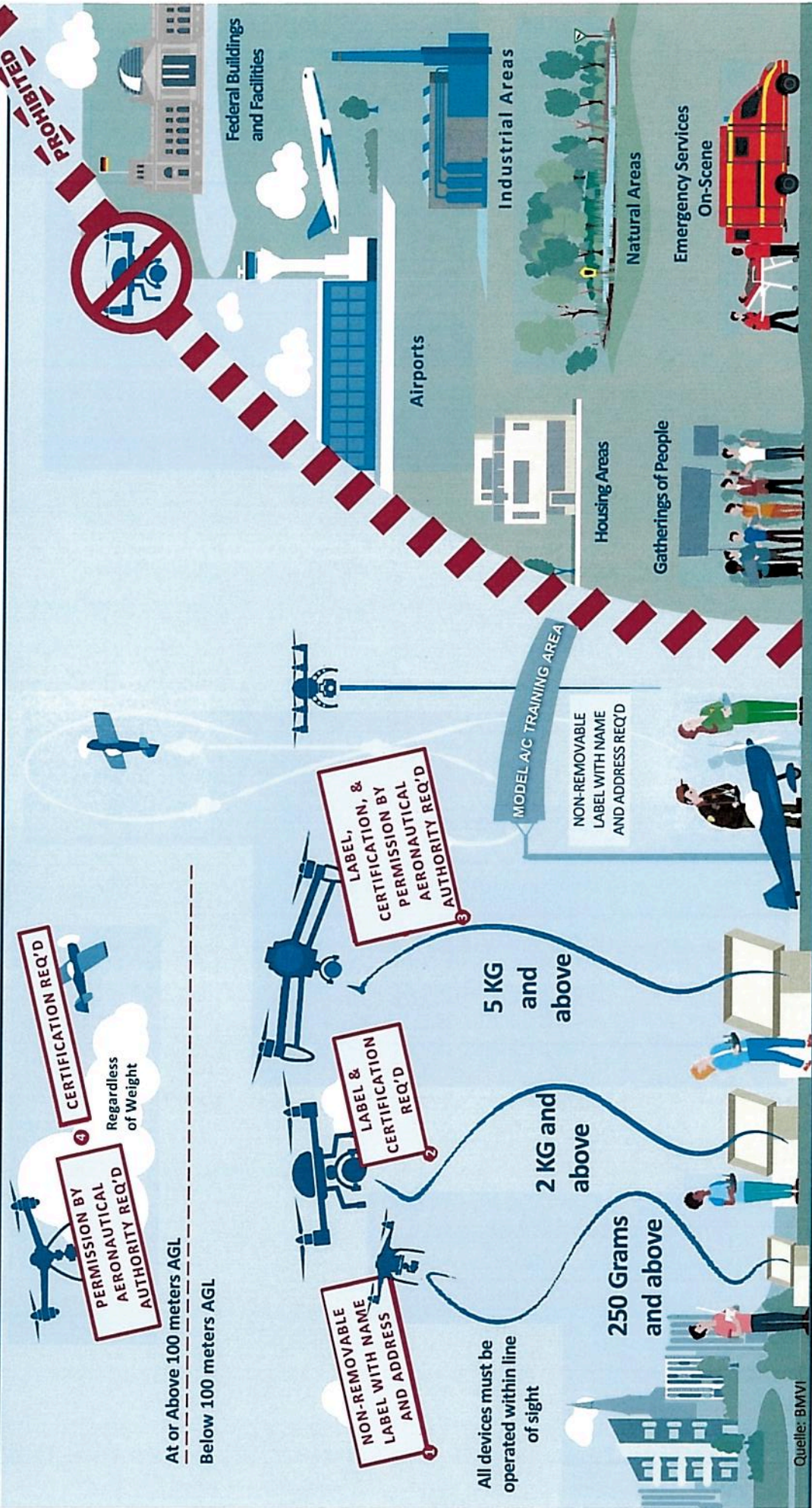
6. POC for this policy memorandum is the USAG Bavaria S3/5 Antiterrorism Officer, DSN 526-3007/3008, CIV 09641-70-526-3007/3008.

Encl
Drone Infographic



ADAM J. BOYD
COL, MI
Commanding

New Drone/RC Aircraft Regulations in Germany



1 250 Grams and above require the owner's name and address to be attached on a non-removable label.

2 2 KG and above further require the owner to be able to demonstrate special knowledge.

3 5 KG and above further require a special permit from the national air traffic authority.

4 From 100 meters AGL and above, regardless of weight, drones may only fly if officially authorized and RC aircraft may only fly if the operator can demonstrate special knowledge.

For further information, see: www.bmvi.de/drohnen