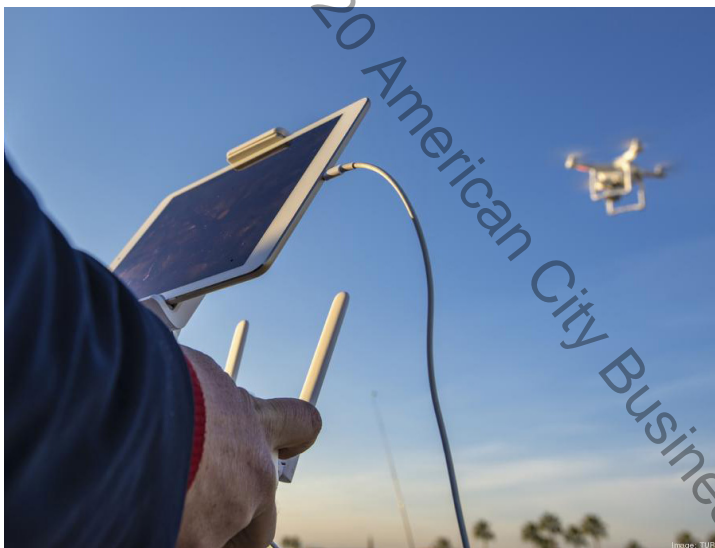


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# FLYING HIGH

Orlando attorney unveils a few things to know when using drones in construction



BY DENISE HICKS  
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*Drones are starting to be seen more often on construction sites as builders and property owners use them to help document progress on a project.*

*That's according to Michael C. Kelley, partner in the Orlando office of Shutts & Bowen LLP and member of the firm's construction litigation practice group.*

*The miniature flying machines can include photo- or video-taking apparatus, which makes it much easier for progress to be tracked from high above, rather than trying to document at ground level.*

*That said, there are many things that users need to be aware of when it comes using drones.*

*Here, Kelley shares more on the use of drones in construction work:*

**What's the best use of drones on a construction site?** Drones are great for data collection, surveillance, aerial photography, surveying, documentation of construction progress, agriculture, search and rescue, and for advertising and marketing. Engineers, design professionals and some subcontractors are using drones for planning and overall design or bid calculations because they can see and analyze the project at a glance, along with being able to get close to otherwise hard to reach locations.

**What are some of the challenges?** Drone usage raises a number of legal concerns, from privacy and safety to proper insurance coverage and a duty to maintain video and still photography records made by drones. There also can be civil and criminal penalties associated with using drones, which

many may not be aware of.

**What should people know before flying a drone on a construction site?** Anyone using drones needs to understand whether the drone qualifies as an "aircraft" under the insurance policy, and if so, whether using or even owning the aircraft triggers an exclusion to coverage they otherwise believe they have. Another common issue with drones is trespassing and invasion of privacy. A safe rule is to refrain from doing anything with a drone that would be illegal if a person was to do it himself or herself. Finally, issues surrounding liability for relying on information procured by the use of drones – was it reasonable or negligent to rely on this information? – and a duty to maintain records created by drones are still developing and will be litigated well into the future.