



Rob McKenna

ATTORNEY GENERAL OF WASHINGTON

1125 Washington Street SE • PO Box 40100 • Olympia WA 98504-0100

May 22, 2012

Mr. Randy Willis
Acting Air Traffic Manager
Unmanned Aircraft Systems Office
Federal Aviation Administration
490 L 'Enfant Plaza, Suite 3200
Washington, DC 20024

RE: Seattle (Washington) Police Department's Application for Operation of Unmanned Aircraft

Dear Mr. Willis:

I previously submitted a letter at the request of the Seattle Police Department (SPD) regarding an application they have pending with the Federal Aviation Administration (FAA) to operate certain classes of Unmanned Aircraft within their jurisdiction. Since that time, I have spoken with Karen Petronis of your agency and I am now aware that an additional matter needed to be addressed in my letter to process the SPD's application. As I noted in my first letter, and in order for the FAA to process this application, you require a letter from the Washington State Attorney General's Office confirming, essentially, that the SPD is a unit of government in this state. This is my purpose in writing you again today.

Washington State, through the Washington State Constitution, provides for the incorporation of municipalities. *See Washington State Constitution, Art. XI, § 10, Amendment 40B.* The City of Seattle is recognized as a First Class City by the State of Washington. This means that it has a population of ten thousand or more inhabitants, and has elected to adopt its own city charter governing the structure of city government. *Id.* "The form of the organization and the manner and mode in which cities of the first class shall exercise the powers, functions and duties conferred upon them by law, with respect to their own government, shall be as provided in the charters thereof." RCW 35.22.020.

In the City of Seattle's Charter, the (Seattle) Police Department is the recognized law enforcement body of the municipal government. *See Seattle City Charter, Art. VI, §§ 1-6.* Therefore, under 49 USC 40102(a)(41)(C), the City of Seattle is a political subdivision of the State of Washington and the requested UAS operations by the Seattle Police Department will be public aircraft operations in accordance with that statute. Operational flights performed by the

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Seattle Police Department will be non-commercial in nature and conducted in accordance with 49 USC 40125.

Sincerely,

A handwritten signature in cursive script that reads "Brian T. Moran".

BRIAN T. MORAN
Chief Deputy Attorney General

BTM:kw