



PHIL SORRELLS
Criminal District Attorney
Tarrant County

June 12, 2023

Federal Aviation Administration
Air Traffic Manager
UAS Policy Team, AJV-P22
Wilbur Wright Federal Building – FOB 10B
600 Independence Avenue, SW - Suite #5E21TS
Washington, DC 20591

RE: Tarrant County, Texas and the Tarrant County Fire Marshal's Office Public Declaration in Support of Certificate of Waiver/Authorization

Dear Mr. Beckles:

Tarrant County, Texas is completing an application through the Tarrant County Fire Marshal's Office for a Certificate of Authorization (COA) to operate a small Unmanned Aircraft System (UAS) within Tarrant County, Texas.

The Tarrant County Fire Marshal's Office provides full-service law enforcement, fire prevention and fire investigations, and emergency services to the citizens of unincorporated Tarrant County, and surrounding incorporated municipalities in the county. The Tarrant County Fire Marshal's Office was created by the Tarrant County Commissioners Court pursuant to the Texas Local Government Code Chapter 352, Subchapter B, Section 11 (County Fire Protection – County Fire Marshal – Creation of Office; Term). *Tex. Loc. Govt. Code* § 352.011

Tarrant County is a governmental entity and political subdivision of the State of Texas. *See Tex. Loc. Govt. Code* § 71.001; *Tex. Lab. Code* § 504.001; Act approved Dec. 20, 1849, 3d Leg., R.S., ch.17 § 1, 1849 Tex. Gen. Laws 14, 14, *reprinted in* 3 H.P.N. GAMMELL, THE LAWS OF TEXAS 1822-1897, at 452, 452 (Austin Gammel Book Co. 1898) Tarrant County, Texas, was formed pursuant to Article IX of The Texas Constitution and is defined in Article XI of the Texas Constitution. *See Texas Const. art. IX, § 1; Texas Const. art. XI, § 1.* Additionally, the Tarrant County Fire Marshal's Office is

a law enforcement and fire investigative and fire prevention agency with county wide jurisdiction. As such any aircraft operated by the County, operating within the parameters of Public Aircraft Operation (49 USC 40102(a)(41)(C)) should be recognized as a public aircraft as defined in 14 CFR 1.1.

Based on the statutory authority referenced, an aircraft owned and operated by Tarrant County is a public aircraft as defined in 49 USC 40102(a)(41)(C). It is acknowledged that Tarrant County will operate as a public aircraft operator will only conduct operations that meet the definition of a "governmental function" in compliance with Title 49 USC 40125(a)2. The Tarrant County Fire Marshal's Office will utilize a drone for activities such as full-service law enforcement, fire prevention and fire investigations, and emergency services to the citizens of unincorporated Tarrant County, and surrounding incorporated municipalities located within the county.

It is further acknowledged that Tarrant County will not use the aircraft for commercial purposes and is not exempt from the public aircraft definition pursuant to 49 USC 40125(b).

Respectfully,

Phil Sorrells
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JAMES MARVIN NICHOLS
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