



U.S. Department
of Transportation
**Federal Aviation
Administration**

Advisory Circular

Subject: Means of Compliance Process for
Remote Identification of Unmanned Aircraft
Systems

Date: DRAFT

AC No: 89.XX

Initiated By: AIR-600

- 1 **PURPOSE OF THIS ADVISORY CIRCULAR (AC).** This AC provides guidance on the Means of Compliance (MOC) process described in Title 14, Code of Federal Regulations (14 CFR) part 89, *Remote Identification of Unmanned Aircraft Systems*. This AC outlines the required information for submitting an MOC. The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.
 - 1.1 **Effects of Guidance.** The material in this AC is advisory in nature and does not constitute regulation. It describes an acceptable means for demonstrating compliance with applicable regulations. The FAA will consider other acceptable means. While these guidelines are not mandatory, they are derived from extensive FAA and industry experience in determining compliance with applicable regulations. This AC does not change, create, or permit deviations from existing regulatory requirements.
- 2 **AUDIENCE.** This AC is of interest to persons or entities who develop an MOC under part 89 that is used in the design and production of standard remote identification unmanned aircraft systems or limited remote identification unmanned aircraft systems to ensure the unmanned aircraft system (UAS) meets the minimum performance requirements for remote identification of UAS.
- 3 **RELATED READING MATERIAL (current editions).**

The following regulations, guidance, and standards are applicable to this AC. Refer to the [FAADroneZone](https://faadronezone.faa.gov/)¹ for the current list of FAA-accepted MOC's that may be used to comply with part 89.

 - 3.1 **FAA ACs.**
 - AC 89.XX, *Declaration of Compliance Process for Remote Identification of Unmanned Aircraft Systems*, current edition

¹ See <https://faadronezone.faa.gov/>

- AC 89-XX, *FAA-Recognized Identification Areas*, current edition
- AC 91-XX, *Model Aircraft Operating Standards*, current edition
- AC 107-2A, *Small Unmanned Aircraft Systems*, current edition

3.2 FAA Orders.

- Order 8000.71, *Aircraft Make, Model, and Series Taxonomy*, current edition
- Order 8100.11, *Requirements for Finding Undue Burden and No Undue Burden Under 14 CFR Part 21*, current edition
- Order 8110.4, *Type Certification*, current edition
- Order 8130.34, *Airworthiness Certification of Unmanned Aircraft Systems and Optionally Piloted Aircraft*, current edition

3.3 Title 14, Code of Federal Regulations (14 CFR).

- Part 21, *Certification Procedures for Products and Articles*
- Part 47, *Aircraft Registration*
- Part 48, *Registration and Marking Requirements for Small Unmanned Aircraft*
- Part 89, *Remote Identification of Unmanned Aircraft Systems*
- Part 91, *General Operating and Flight Rules*
- Part 107, *Small Unmanned Aircraft Systems*

3.4 Means of Compliance.

Refer to [FAADroneZone](#) for a list of FAA-accepted MOC's.

4 **BACKGROUND.**

- 4.1 For purposes of this AC, a UAS means an unmanned aircraft (UA) and its associated elements—including communication links and the components that control the UA—that are required for the safe and efficient operation of the UA in the airspace of the United States.
- 4.2 The remote identification of UAS promotes public safety and the safe and efficient use of the airspace of the United States by furnishing UAS-specific data and leveraging new technologies and infrastructure to facilitate advanced operational capabilities. In addition, remote identification technology facilitates UAS traffic management (UTM).
- 4.3 The FAA implemented a remote identification requirement for UAS because of a lack of adequate means (e.g., transponders, automatic dependent surveillance—broadcast (ADS-

B), radio communications with air traffic control, etc.) to remotely identify UA operating in the airspace of the United States. The remote identification requirement enables near real-time and historical data gathering and storage regarding UAS operations and enhances the FAA's ability to monitor compliance with applicable regulations to oversee the safety and security of the airspace of the United States.

4.4 Pursuant to 14 CFR part 89, standard remote identification UAS and limited remote identification UAS must comply with the remote identification requirements.

4.5 UAS certified under part 21 are subject to the part 21 type certification procedures and applicable airworthiness standards for all systems aboard the UAS, including part 89 remote identification requirements.

4.6 An MOC is a means used by persons responsible for the design and production of standard remote identification UAS and limited remote identification UAS to ensure that their UAS comply with the remote identification requirements of part 89. The FAA anticipates that standards setting organizations (SSOs) will develop industry consensus standards and will submit them to the FAA for acceptance as an MOC using the process described in 14 CFR § 89.405. Individuals or companies may also submit proprietary standards for FAA acceptance. If the Administrator accepts an MOC pursuant to 14 CFR § 89.410, the FAA will notify the person that the Administrator has accepted the MOC. If the Administrator determines the person has not provided sufficient evidence to demonstrate that the MOC meets the requirements of subparts D or E of part 89, the FAA will notify the person that the Administrator has not accepted the MOC. If the Administrator notifies the person that the Administrator has accepted the MOC, the FAA will assign a tracking number to the MOC to be used in the submission of subsequent Declarations of Compliance (DOC).

4.7 A DOC is submitted by a person responsible for the production of standard remote identification UAS or limited remote identification UAS to the FAA to demonstrate compliance with the performance requirements of part 89. The FAA will accept a submitted DOC based on demonstrated design and production to meet the minimum performance requirements for standard remote identification UAS established in § 89.310 or for limited remote identification UAS established in § 89.320 and in accordance with an FAA-accepted MOC. [14 CFR § 89.510.] As part of the DOC form to be submitted, the person responsible for the production of standard remote identification UAS or limited remote identification UAS would have to include the tracking number for the MOC used to comply with part 89. [14 CFR § 89.520.] See **AC 89.XX**, *Declaration of Compliance Process for Remote Identification of Unmanned Aircraft Systems*, for further information about the DOC submittal process.

5 MEANS OF COMPLIANCE—REQUIRED INFORMATION.

5.1 The information described in this section is required pursuant to 14 CFR § 89.405 unless otherwise noted.

- 5.2 **Name.** This is the name of the person or entity that is submitting the MOC. For example, this could be the name of an SSO, a designer or producer of standard remote identification UAS or limited remote identification UAS, an individual, or any other organization. The entity submitting the MOC is responsible for demonstrating to the Administrator that the MOC addresses all of the remote identification requirements so that a UAS designed and produced in accordance with such MOC meets all of the remote identification requirements of part 89.
- 5.3 **Point of Contact (POC).** This is a person designated by the person or entity submitting the MOC as the main point of contact for the FAA.
- 5.4 **Address.** This is the mailing address for the person or entity submitting the MOC. For an SSO, the FAA expects the address of the headquarters to be listed, as opposed to an address for a particular committee responsible for the development of the MOC. For a designer or producer of standard remote identification UAS or limited remote identification UAS submitting an MOC, the FAA expects that the address would be the headquarters of the company as opposed to a production facility where the entity intends to produce the UAS.
- 5.5 **POC's Email Address.** The FAA would use this email address for MOC submission confirmation or for any other communication related to the MOC.
- 5.6 **Means of Compliance Cover Page.** An entity submitting an MOC for acceptance by the FAA would include a cover page affirming that all of the appropriate data and documentation has been provided to the FAA to demonstrate that the MOC meets the minimum performance requirements of part 89. An example of the MOC cover page is included in Appendix A and illustrates the level of detail expected to show that the MOC complies with the minimum performance requirements of part 89. A party submitting a cover page may use a format similar to the one provided in Appendix A, or any other format, as long as the cover page includes a detailed description of how the supporting documentation shows compliance with all of the requirements of subparts D and E of part 89 and that any UAS manufactured in accordance with such MOC would meet the remote identification requirements of part 89.
- 5.7 **Supporting Documentation and Data Submission.** When submitting an MOC, a party should include supporting documentation (e.g., design, testing, and validation data) that shows that UAS designed and produced in accordance with the submitted MOC meet the minimum performance requirements of part 89.
- 5.8 **Data and Documentation Retention.** In accordance with 14 CFR § 89.420, the person who submits an MOC for acceptance must retain the following information for as long as the MOC is accepted plus an additional 24 calendar months, and must make available for inspection by the Administrator the following:
- All documentation and substantiating data submitted to the FAA for acceptance of the MOC.
 - Records of all test procedures, methodology, and other procedures, as applicable.

- Any other information necessary to justify and substantiate how the MOC enables compliance with the remote identification requirements of part 89.

5.9 **Submission Methods.** MOC submitters may visit the [FAADroneZone](#) webpage for full details on how to submit an MOC. A person or entity may submit a request for acceptance of an MOC through the FAA's Drone Zone in the form of an electronically-compressed folder that contains all information specified in this section (i.e., a cover page with all MOC submitter's information and supporting documentation and data). Alternatively, the complete submission may be mailed in paper form to the following address:

ATTN: Aircraft Certification Office
800 Independence Ave SW, Suite 800 East
Washington, DC 20591

If the party requesting acceptance of an MOC is an SSO, the full submission must also include a copy of the published standard from that organizational standards body.

6 **FAA ACCEPTANCE OF AN MOC.**

- 6.1 A party submitting an MOC for acceptance by the FAA must provide the required information and documentation described in section 5 of this AC to the FAA for review and consideration by the Administrator. 14 CFR § 89.405.
- 6.2 If the Administrator determines the person has demonstrated that the MOC meets the requirements of subparts D and E of part 89, the FAA will notify the person that the Administrator has accepted the MOC. If the Administrator determines the person has not provided sufficient evidence to demonstrate that the MOC meets the requirements of subparts D or E of part 89, the FAA will notify the person that the Administrator has not accepted the MOC and will identify the areas in which the submission or the MOC is deficient. 14 CFR § 89.410.
- 6.3 The FAA will assign an individual tracking number to each FAA-accepted MOC. The tracking number will be included in the notice sent to the party who submitted the MOC, to inform them that the MOC has been accepted by the FAA. The appropriate MOC tracking numbers should be included on all communications with the FAA.
- 6.4 The FAA will post a notice of availability in the *Federal Register* identifying the MOC as accepted. All FAA-accepted MOCs will be listed on [FAADroneZone](#) and may be used to show compliance with the remote identification requirements of part 89. The FAA will continuously update [FAADroneZone](#) to include any additional MOC that is accepted by the Administrator. If the POC informs the FAA that the proposed MOC contains proprietary information, the FAA may indicate that on [FAADroneZone](#).

7 **RESCISSION OF AN MOC.**

- 7.1 An MOC is subject to ongoing review by the Administrator. 14 CFR § 89.415. If the FAA determines that an FAA-accepted MOC does not meet the requirements of subparts

D or E of part 89, the FAA may rescind its acceptance of an MOC. The Administrator may rescind acceptance of a declaration of compliance if the FAA rescinds acceptance of the MOC listed in an FAA-accepted declaration of compliance. 14 CFR § 89.530.

- 7.2 After the Administrator rescinds its acceptance of an MOC, the FAA will publish a notice of rescission in the *Federal Register*, and will update [FAADroneZone](#) to remove the MOC from the list of FAA-accepted MOC. 14 CFR § 89.415.
- 7.3 An MOC that is no longer accepted by the FAA may not be used in the submission of a DOC.
- 7.4 The FAA will proceed to rescind acceptance of any DOC that utilized an MOC for which the FAA rescinded its acceptance. 14 CFR § 89.530. See **AC 89.XX**, *Declaration of Compliance Process for Remote Identification of Unmanned Aircraft Systems*, for further details on the DOC rescission process.
- 7.5 If a consensus standard body decides to “sunset” (i.e., retire) a standard that was submitted to the FAA and accepted as an MOC, then the FAA will issue a rescission of its acceptance of the MOC. As indicated in section 7.4, the acceptance of any DOC that is based on such MOC would be rescinded. 14 CFR § 89.530.

APPENDIX A

**Means of Compliance Cover Page Affidavit
EXAMPLE**

Means of Compliance Cover Page Affidavit

Date: DD-MM-YYYY

I, _____, [Title], [Company Name], hereby state that the means of compliance identified in the attached supporting documentation shows compliance with the minimum performance requirements for remote identification of Title 14 Code of Regulations (CFR), part 89 for [Choose one: standard remote identification unmanned aircraft system or limited remote identification unmanned aircraft system].

I, _____, declare under penalty of perjury that the foregoing is true and correct. If at any time this means of compliance is found to no longer meet the requirements of 14 CFR part 89 or is not true or correct, that this means of compliance may be rescinded by the Administrator of the Federal Aviation Administration. Further, I certify that I am qualified and authorized to file this affidavit.

[Name], [Title]
[Company Name]

Attached Documents:

- "MOC Testing Methodology.pdf"
- "MOC Data File.xlsx"

SWORN AND SUBSCRIBED TO before me this _____ day of _____, 20____.

Notary Public in and for the State of _____, residing at _____.
My Commission Expires:_____.