



**Comments of Drone Alliance Europe  
Concerning Revisions to the European Commission Delegated Regulation  
regarding remote identification  
January 2020**

Drone Alliance Europe (DAE) respectfully submits these comments on the revisions to the Delegated Regulation and Annex [12.3.2019; C(2019) 1821 final] that pertain to remote identification (remote ID).

First, as DAE has recommended previously, the Commission should allow for use of broadcast and network remote ID technologies in the Open and Specific Categories. Similarly, the Commission should allow network technology for remote ID add-ons in both the Open and Specific Categories, as well as for Specific Category operations pursuant to a Standard Scenario.

DAE notes that the United States Federal Aviation Administration (FAA) published on 26 December a Notice of Proposed Rulemaking (NPRM or proposed rule) on remote identification of unmanned aircraft systems (UAS). DAE supports harmonisation of UAS rules and standards throughout the world and urges EASA and the FAA to discuss and resolve those revisions needed to make these respective regulations consistent to the maximum practical extent.

### **Remote ID in the Open Category**

The published Delegated Regulation [12.3.2019; C(2019) 1821 final] requires remote identification in the Open Category for UA Classes C2, C3, and C4. See Annex, Part 2, paragraph 12(b); Part 3, paragraph 14(b); and Part 4, paragraph 9(b).

The remote ID language *requires* broadcast technology in the Open Category.

. . . have a direct remote identification system that: ensures, in real time during the whole duration of the flight, the direct periodic broadcast from the UA using an open and documented transmission protocol . . . in a way that can be received directly by existing mobile devices within the broadcasting range.

The language above remains the same for Open Category Classes C2, C3, and C4.

A new section for each Part 2, paragraph 20(b), Part 3, paragraph 21(b), and Part 4, paragraph 17(b), *allows* for network technology.

if equipped with a network remote identification system, it shall ensure in real time during the whole duration of the flight, the transmission from the UA using an open and documented transmission protocol . . . in a way that can be received through a network.

The manufacturer cannot “ensure” a transmission if – other than direct broadcast – the transmission end-to-end relies on services and equipment external to the UAS (i.e., cellular network). Thus, DAE recommends that “ensure” be replaced with “allow”.

Also, the concept of “in real time” should be explained with reference to an existing standard or minimum performance. DAE recommends the Commission review the minimum performance requirements in the FAA’s proposed rule.

DAE recommends that network technology be permitted as a supplement to broadcast technology. DAE recognizes that network connectivity may not be available in certain areas and at certain times. In those situations, broadcast technology will need to be used as a means to ensure the remote identity can be successfully conveyed.

### **Specific Category**

For the Specific Category, the most recent version revises Article 40 of the Delegated Regulation, which sets out requirements for a UAS operated in the Certified and Specific Categories “except when conducted under a declaration.” The remote ID requirement does not specify broadcast or network ID.

Each UA intended to be operated in the ‘specific category’ . . . shall be equipped with a remote identification system that allows, in real time during the whole duration of the flight, the periodic transmission . . . in a way that it can be received by existing mobile devices.

EASA Opinion No. 05/2019, at page 23 explains:

[I]t was therefore decided to keep the requirement flexible and mandate, for all UAS intended to be operated in very low level (VLL), a remote identification system transmitting data in a way that can be received by existing mobile devices. That system can be ‘direct’ or ‘network’.

DAE recommends that Article 40 should include that statement.

### **Remote ID add-ons**

The revised title of Chapter II suggests that remote ID add-ons are capable of being installed on UAS in either the Open or Specific Category operations.

The previous title was:

UAS intended to be operated in the 'open' category and with remote identification add-ons.

The revised title is:

UAS intended to be operated in the 'open' category or in the 'specific' category under operational declarations and with remote identification add-ons.

DAE requests the Commission confirm that the phrase "and with remote identification add-ons" modifies both Open and Specific Category subjects.

Add-ons are referenced in Article 6, paragraph 5, and are not defined. DAE recommends that the concept should be defined to clarify whether it includes both hardware, software, and control unit changes to an existing model.

Under revised Part 6 of the Annex, entitled "Requirements for a direct remote identification add-on," remote ID add-ons must be equipped with broadcast technology, with the same data requirements as in the Open and Specific Categories. There is no reference to network technology. DAE recommends that there should not be a difference between remote ID as part of the original UAS equipment and a remote ID add-on.

Because network technology is allowed in the Open Category, it should be allowed for remote ID add-ons in the Open Category. Per our comments above, network and broadcast technology should be allowed for remote ID add-ons in both Open and Specific Categories.

### **Remote add-ons and CE marking requirements**

DAE seeks clarification regarding how CE marking requirements apply to remote ID add-ons in the Open Category. In particular, drones must have a CE marking and must be equipped with remote ID. Drones are permitted to be equipped after manufacture with remote ID add-ons. The Delegated Act should clarify how remote ID add-ons will affect the CE marking of the drone. DAE recommends the Commission revise the Delegated Act to clarify that an Open Category drone retains its original CE marking providing the remote ID add-on is itself compliant with the CE marking or a higher marking. Alternatively, the remote ID add-on could be accompanied with a CE marking that identifies it as authorized for use on drones with certain CE markings in the Open Category without affecting the CE marking of the drone itself.

DAE recommends a similar approach be taken with other post-manufacture equipment, such as cameras.

Additionally, so that commercial operators that design specialized equipment for their drones are afforded an opportunity to keep customized equipment within the Open Category, the Delegated Act should allow commercial operators the ability to seek a Declaration of Conformity for their customized equipment.

## Standard Scenario operations

The Delegated Regulation and Annex have also been revised to accommodate Standard Scenarios 1 and 2. For Standard Scenarios 1 and 2 in the Specific Category, an operational declaration is accepted. Article 40, which covers the Specific Category, does not apply to operations conducted under an operational declaration, and therefore does not apply to operations under either Standard Scenario.

The most recent revision incorporates by reference the requirements in Annex Part 4 (C3 UAS) for both Standard Scenarios: C5 UAS (STS-1)(Annex Part 16) and C6 UAS (STS-2) (Annex Part 17), which *require* broadcast technology and *allow* network technology. DAE recommends these Annex parts be revised to allow broadcast and network remote ID technologies for operations pursuant to a Standard Scenario.

## Harmonisation

*Allowing broadcast and network technologies.* DAE recognizes that the FAA is proposing to require both broadcast and network technologies for its proposed standard remote ID UAS, and proposing to require network technologies (and prohibit broadcast technology) for limited remote ID UAS (operations with the visual line of sight of the remote pilot and within 400 feet of the control station). DAE request the Commission engaged with the FAA to discuss harmonizes their respective regulations with respect to network and broadcast technologies,, consistent with its recommendation to the Commission in these comments.

*Uniformity of standards.* DAE recognizes current and ongoing remote ID standards development in Europe and in the United States. DAE favors a uniform set of performance standards for remote ID.

*Message elements.* There are several differences between the Delegated Regulation and the FAA's proposed rule. DAE urges the Commission and FAA work to agree on a set of required message elements, as set forth below.

1. FAA proposes either the UA serial number or a session ID provided by the remote ID USS. The Commission also requires the UAS operator registration number, but does not provide for a session ID. DAE supports the concept of a session ID and requests the Commission consider allowing a session ID in lieu of the serial number. DAE also believes that remote ID need not provide the registration number if the serial number is provided.
2. The Commission requires a route course; FAA does not propose this requirement. DAE agrees with the Commission that vector in addition to location should be required, where vector is both direction and speed. For BVLOS operations, these data elements could assist in electronic situational awareness.

3. The Commission requires the ground speed of the UA; FAA does not propose this requirement. As noted above, DAE agrees with the Commission that speed is should be a required element.
4. The Commission uses the term “geographic position” for the UA and remote pilot/control station; that term is not defined. FAA specifies latitude, longitude, and barometric pressure altitude. DAE recommends that “geographic position” be defined to include latitude and longitude but believe that barometric pressure of the control station should not be a required element.
5. FAA proposes to require the emergency status of the UA; the Commission has no such requirement. DAE believes further clarification of the purpose and scope of the FAA proposal is needed. However, for harmonization purposes, DAE supports the Commission’s adoption of this element.

DAE appreciates the Commission’s consideration of these recommendations.