

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION

N 8900.711

National Policy

Effective Date:
9/17/24

Cancellation Date:
9/17/25

SUBJ: Certification and Oversight of Parts 135 and 137 Certificate Holders Operating Unmanned Aircraft Systems

1. Purpose of This Notice. This notice informs Flight Standards Service (FS) offices of the change to certification and oversight of Title 14 of the Code of Federal Regulations (14 CFR) part 135 non-passenger-carrying Unmanned Aircraft System (UAS)-only certificate holders (CH).

2. Audience. The primary audience for this notice is personnel within the Office of Safety Standards (OSS) and the Office of General Aviation Safety Assurance (GASA), especially those who have oversight of part 135 UAS-only CHs. The secondary audience includes the Foundational Business offices.

3. Where You Can Find This Notice. You can find this notice on the MyFAA employee website at https://employees.faa.gov/tools_resources/orders_notices and the Dynamic Regulatory System (DRS) at <https://drs.faa.gov>. Operators and the public can find this notice on the Federal Aviation Administration's (FAA) website at https://www.faa.gov/regulations_policies/orders_notices and DRS.

4. Background. Government Accountability Office (GAO) audits, congressional legislation, and industry communicated concerns to the FAA on the efficient and timely approval of complex UAS and other new and novel aircraft operations. In response to some of their concerns, the FAA OSS established the Emerging Technologies Division (AFS-700) on September 24, 2023. AFS-700 responsibilities include certification of applicants, certificate management, oversight, and surveillance activities of part 135 air carrier (cargo/package delivery) and 14 CFR part 137 UAS-only CHs.

5. Discussion. With the establishment of AFS-700, the following changes have taken place:

a. Regulatory Oversight.

(1) Regulatory oversight of part 135 UAS-only CHs is the responsibility of the Safety Assurance Branch (AFS-760). Part 135 CHs that operate crewed aircraft in addition to UAS, or intend to add UAS, remain with the Flight Standards District Offices (FSDO). This change is intended to improve the consistency, standardization, and service of regulatory oversight for these operations while new regulations are being created for UAS. The regulations for

UAS operations and policy are being written at this time, and training for FSDO personnel will also be developed.

(2) Oversight of existing part 135 UAS-only CHs previously overseen by FSDOs has been transferred to AFS-760. The transfer of certificates was in accordance with FAA Order 8900.1, Volume 10, Chapter 10, Section 1, Safety Assurance System: Certificated and Non-Certificated Transfer Process. The CHs will continue operations as normal, and there is no interruption to the services being provided. The FSDOs and AFS-760 worked together to make the transition of oversight as seamless as possible.

(a) AFS-760 oversees the part 135 UAS-only certificates with sufficient resources positioned to perform oversight of the certificates. However, on occasion, AFS-760 will request assistance from the responsible FSDOs for time-sensitive surveillance/investigations, initial response to accidents, incidents, and other such functions in accordance with FAA policies similar to how FSDOs currently coordinate with other FSDOs and FS certificate management offices (CMO). Reliance on FSDOs to perform this work will be monitored and kept to a minimum.

(b) While rules tailored specifically for these operators are in development, oversight in AFS-760 will allow the FAA to accelerate and streamline adjustments and standardization in real time to align with the upcoming rulemaking. Eventually, management of these certificates will be transferred back to GASA once policy, rules, guidance, and training tailored for these new entrants are in place.

b. Certification. AFS-760 will accomplish the certification for part 135 applicants that intend to utilize only UAS and assist with requests to add the authority to operate UAS for CHs with authority to operate crewed aircraft.

(1) Part 135 applicants that intend to utilize only UAS will be referred directly to AFS-760 at 9-avs-fs-afs-700-correspondence@faa.gov. These new certificates will be issued and overseen by AFS-760, which will be considered the responsible Flight Standards office for these operators. A similar process will be initiated for part 137 UAS-only agricultural operator certification and oversight (under certain conditions).

(2) Future applications for UAS-only part 135 certificates will be submitted via the Safety Assurance System (SAS) to AFS-760, which is listed as “FS70” in SAS.

c. Deviations. Title 14 CFR part 119, § 119.71(f) requires that the manager of the Air Transportation Division (AFS-200) or the Aircraft Maintenance Division (AFS-300), as appropriate, find that a person who does not meet the appropriate airman, managerial, or supervisory experience requirements of § 119.71, requesting a deviation for a position as Director of Operations (DO), Director of Maintenance (DOM), or Chief Pilot, has comparable experience and can effectively perform the functions associated with the procedures outlined in the CH’s manual to receive a deviation.

(1) AFS-200 and AFS-300 have delegated deviation granting authority to AFS-700 for UAS-only CHs, as these offices now hold the primary responsibility for certificating and surveilling operators conducting UAS operations under part 135. Therefore, AFS-700 will

review all management deviations for part 135 UAS-only CHs. AFS-700 will also assist AFS-200 and AFS-300 when part 135 CHs with authority to operate manned and unmanned aircraft overseen by a FSDO are requesting a management deviation.

(2) The Air Transportation Branch (AFS-740) will review DO and Chief Pilot positions while the Maintenance Branch (AFS-710) will review DOM positions to determine if they exhibit comparable experience and can effectively perform the functions associated with the position, in accordance with the requirements of part 119 and the procedures outlined in the CHs' manuals.

6. Action. This notice is information only and no action is required. However, if an applicant applies in SAS and submits an application to a FSDO, then the FSDO should transfer the application to AFS-760, which is listed as "FS70" in SAS.

7. Disposition. We will not incorporate the information in this notice into Order 8900.1 before this notice expires. Direct questions or comments concerning the information in this notice to AFS-700 at 9-avs-fs-afs-700-correspondence@faa.gov.



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