



FEDERAL  
COMMUNICATIONS  
COMMISSION

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# Rules and Regulations

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**VOLUME IV • JULY 1964**

*Part 81—Stations on Land in the Maritime Services.*

*Part 83—Stations on Shipboard in the Maritime Services.*

*Part 85—Public Fixed Stations and Stations of the Maritime  
Services in Alaska*

FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20554

**TRANSMITTAL SHEET NO. IV(64)-6**

TO

**VOLUME IV OF RULES AND REGULATIONS**

**JULY 1964 EDITION**

On the new pages, identified with the transmittal sheet number, the new or amended section, or subsection, is followed by a statement of the effective date of the amendment. The nature of the change may be determined by comparing the old and new texts.

The attached substitute pages include the following actions:

<i>Date of adoption</i>	<i>Effective date</i>	<i>FCC Document No.</i>	<i>Docket No.</i>	<i>Federal Register Date and Citation</i>
4-13-66	4-22-66	66-337	-----	4-21-66, 31 F.R. 6112
Sections affected: 83.24(a) and 85.22(c) & (d).				
4-13-66	8-1-66	66-338	-----	4-21-66, 31 F.R. 6113
Section affected: 83.36(a).				
4-20-66	5-20-66	66-357	-----	4-28-66, 31 F.R. 6420
Sections affected: 81.118 and 83.33.				

**ERRATA**

§ 83.369(a)(2)(ii) revised to correct error contained in T.S. IV(64)-5 which inadvertently contained a portion of text which should have been deleted.

**INSTRUCTIONS**

*Remove the following pages*

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29-30  
**AUG 6 1966**      81 through 84  
                          113-114  
**MASTER**  
**USNS POPE T-APM-10**  
120-A through 122  
                          127-128  
                          161-162  
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*Insert the attached pages*

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29-30, 30-A  
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**TRANSMITTAL SHEET NO. IV(64)-10**

TO

**VOLUME IV OF RULES AND REGULATIONS**

**JULY 1964 EDITION**

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The attached substitute pages include the following actions:

<i>Date of adoption</i>	<i>Effective date</i>	<i>FCC Document No.</i>	<i>Docket No.</i>	<i>Federal Register Date and Citation</i>
9-20-67	11-3-67	67-1055	16418	9-29-67, 32 F.R. 13662
Sections affected: Part 81, Subpart F (§§ 81.151-81.156 deleted and §§ 81.151-81.159 adopted new), 81.213(a)(2), 81.313(a)(2), 81.369(a)(2), 81.535(b)(2), 83.104(a), Part 83, Subpart F (§§ 83.151-83.158 deleted and §§ 83.151-83.165 adopted new), 85.106(a)(2) and 85.115(b) the table.				

**INSTRUCTIONS**

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*Insert the attached pages*

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## FEDERAL COMMUNICATIONS COMMISSION

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DVR

## TRANSMITTAL SHEET NO. IV(64)-8

TO

## VOLUME IV OF RULES AND REGULATIONS

JULY 1964 EDITION

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The attached substitute pages include the following actions:

<i>Date of adoption</i>	<i>Effective date</i>	<i>FCC Document No.</i>	<i>Docket No.</i>	<i>Federal Register Date and Citation</i>
10-19-66	10-25-66	#90100	-----	10-22-66, 32 F.R. 13653
Section affected: 83.114.				
2-8-67	3-20-67	67-168	16791	2-15-67, 32 F.R. 2888
Section affected: 81.31(h).				

NOTE: The following Notes have been deleted since applicable dates have expired rendering Notes obsolete:

Note 3 preceding § 81.1  
Notes 2 and 3 preceding § 83.3  
The Note preceding § 85.1

## INSTRUCTIONS

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FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

**TRANSMITTAL SHEET NO. IV(64)-7**  
TO  
**VOLUME IV OF RULES AND REGULATIONS**  
**JULY 1964 EDITION**

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The attached substitute pages include the following actions:

<i>Date of adoption</i>	<i>Effective date</i>	<i>FCC Document No.</i>	<i>Docket No.</i>	<i>Federal Register Date and Citation</i>
6-29-66	8-9-66	66-572	16081	7-7-66, 31 F.R. 9273
Section affected: 83.106(f).				
6-29-66	8-9-66	66-573	16219	7-8-66, 31 F.R. 9350
Sections affected: 81.304(a)(1), 81.306(c), 83.134(d) Intro, 83.351(a)(1) and 83.354(a)(2).				
7-7-66	7-15-66	66-600	-----	7-13-66, 31 F.R. 9505
Section affected: 83.405(e) & (f) Intro.				
7-20-66	8-1-66	66-659	-----	7-27-66, 31 F.R. 10126
Sections affected: 83.33(a), (d) & (e), 83.35(a), 83.134(a) & (g), 85.22(a) and 85.153(a).				

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**MASTER**  
**USNS POPE T-ADP<sup>17</sup>**

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Contains Chng #1 & #2 - 12-1-65  
Chng #4 - 3-3-66

## Introduction

Volume IV of the Federal Communications Commission's Rules and Regulations contains all the rules for Stations on Land in the Maritime Services, Stations on Shipboard in the Maritime Services, and Public Fixed Stations and Stations of the Maritime Services in Alaska. This edition is a revision of the February 1962 issue and includes all amendments adopted by the Commission through July 31, 1964.

When this Volume is amended, each amended section or subsection will be followed by a

statement of the effective date of the amendment. The number of the transmittal sheet covering the substitute pages will appear in the lower corner of each page. Substitute pages incorporating amendments to these rules will be mailed by the Superintendent of Documents, without request, to all purchasers of the Volume.

This Volume supersedes the edition of February 1962, and no further amendments to that edition will be issued.

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### FIELD ENGINEERING OFFICES

Address all communications to Engineer in Charge, FCC:

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Alaska, Anchorage (P.O. Box 644) 99501  
California, Los Angeles 90014  
California, San Diego 92101  
California, San Francisco 94126  
California, San Pedro 90731  
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Massachusetts, Boston 02109  
Michigan, Detroit 48226  
Minnesota, St. Paul 55102  
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New York, New York 10014  
Oregon, Portland 97205  
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Puerto Rico, San Juan (P.O. Box 2987) 00903  
Texas, Beaumont (P.O. Box 1527) 77704  
Texas, Dallas 75202  
Texas, Houston 77002  
Virginia, Norfolk 23510  
Washington, Seattle 98104

### COMMON CARRIER FIELD OFFICES

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# Notice

The FCC Rules and Regulations are grouped into ten volumes and sold in volume units by the Superintendent of Documents, Government Printing Office. The price of the volume entitles the purchaser to receive its amended pages for an indefinite period.

The ten volumes are comprised of individual Parts, as follows:

## **VOLUME I**

- Part 0, Commission Organization.
- Part 1, Practice and Procedure.
- Part 13, Commercial Radio Operators.
- Part 17, Construction, Marking and Lighting of Antenna Structures.

## **VOLUME II**

- Part 2, Frequency Allocations and Radio Treaty Matters; General Rules and Regulations.
- Part 5, Experimental Radio Services (other than Broadcast).
- Part 15, Radio Frequency Devices.
- Part 18, Industrial, Scientific, and Medical Equipment.

## **VOLUME III**

- Part 73, Radio Broadcast Services.
- Part 74, Experimental, Auxiliary, and Special Broadcast Services.

## **VOLUME IV**

- Part 81, Stations on Land in the Maritime Services.
- Part 83, Stations on Shipboard in the Maritime Services.
- Part 85, Public Fixed Stations and Stations of the Maritime Services in Alaska.

## **VOLUME V**

- Part 87, Aviation Services.
- Part 89, Public Safety Radio Services.
- Part 91, Industrial Radio Services.
- Part 93, Land Transportation Radio Services.

## **VOLUME VI**

- Part 95, Citizens Radio Service.
- Part 97, Amateur Radio Service.
- Part 99, Disaster Communications Service.

## **VOLUME VII**

- Part 21, Domestic Public Radio Services (other than Maritime Mobile).
- Part 23, International Fixed Public Radio-communication Services.
- Part 25, Satellite Communications.

## **VOLUME VIII**

- Part 31, Uniform System of Accounts for Class A and Class B Telephone Companies.
- Part 33, Uniform System of Accounts for Class C Telephone Companies.

## **VOLUME IX** *(Printing postponed indefinitely)*

- Part 34, Uniform System of Accounts for Radiotelegraph Carriers.
- Part 35, Uniform System of Accounts for Wire-Telegraph and Ocean-Cable Carriers.

## **VOLUME X**

- Part 41, Telegraph and Telephone Franks.
- Part 42, Preservation of Records of Communication Common Carriers.
- Part 43, Reports of Communication Common Carriers and Certain Affiliates.
- Part 51, Occupational Classification and Compensation of Employees of Class A and Class B Telephone Companies.
- Part 52, Classification of Wire-Telegraph Employees.
- Part 61, Tariffs.
- Part 62, Application to Hold Interlocking Directorates.
- Part 63, Extension of Lines and Discontinuance of Service by Carriers.
- Part 64, Miscellaneous Rules Relating to Common Carriers.
- Part 66, Applications Relating to Consolidation, Acquisition, or Control of Telephone Companies.

# RULES AND REGULATIONS

Part 81

*Stations on Land in the  
Maritime Services*

JULY 1964

**FEDERAL COMMUNICATIONS COMMISSION**



NOTE: Part 7 was redesignated as Part 81 by Order adopted December 13, 1963, effective December 21, 1963. Section numbers were not otherwise changed.

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**AUTHORITY:** §§ 81.1 to 81.604 issued under 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303. Interpret or apply 48 Stat. 1064-1068, 1081-1105, as amended; 47 U.S.C. Sub-chap. I, III-VI.

NOTE 1: See Commission Order (FCC 61-764 adopted June 21, 1961, effective July 20, 1961, in Docket 14029), 26 F.R. 5798, June 29, 1961, providing for licensing of Private Microwave Systems on a Regular Basis on certain bands above 952 Mc/s and providing type acceptance for such systems.

NOTE 2: See Commission Order (FCC 61-952 adopted July 26, 1961, effective Sept. 1, 1961, in Docket 13953), 26 F.R. 6849, Aug. 1, 1961 providing for frequency pairing in the 952-960 Mc/s band and making certain other channels in the 952-960 Mc/s band available for omni-directional operations.

**[Note 3 deleted as obsolete; IV(64)-8]**

#### § 81.1 Basis and purpose.

(a) The basis for the rules in this part is the Communications Act of 1934, as amended, and applicable treaties and agreements to which the United States is a party. The rules in this part are issued pursuant to the authority contained in the Communications Act of 1934, as amended, which vests authority in the Federal Communications Commission to regulate common carriers of interstate and foreign communications, to regulate radio transmissions and to issue licenses for radio stations.

(b) The purpose of the rules and regulations in this part is to prescribe the manner in which portions of the radio spectrum may be made available for the use of radio for maritime operations which require radio transmitting facilities on land.

### SUBPART A—DEFINITION OF TERMS

#### § 81.2 General.

(a) *International Radio Regulations.* The Radio Regulations in force annexed to the International Telecommunication Convention, Geneva, 1959, as between the Government of the United States and other Contracting Governments; and such preceding international radio regulations as remain in force between the Government of the United States and other Contracting Governments.

(b) *Telecommunication.* Any transmission, emission, or reception of signs, signals, writing, images, and sounds or intelligence of any nature by wire, radio, optical, or other electromagnetic systems.

(c) *Radiocommunication.* Telecommunication by means of radio waves.

(d) *Public correspondence.* Any telecommunication which the offices and stations must, by reason of their being at the disposal of the public, accept for transmission.

(e) *Station.* One or more transmitters or receivers or a combination of transmitters and receivers, including the accessory equipment, necessary at one location for carrying on a radiocommunication service. Each station shall be classified by the service in which it operates permanently or temporarily.

(f) *Station authorization.* Any valid construction permit, station license, or special temporary authority for use of a station, issued by the Commission.

(g) *Person.* Includes an individual, partnership, association, joint stock company, trust, or corporation.

(h) *Permittee.* A person who holds a valid station construction permit.

(i) *Hours of service.* The period of time during each calendar day when a station is used, in conformity with the terms of the station authorization, for the rendition of its normal service.

(j) *Day.* Where the word "day" is applied to the use of a specific frequency assignment or to a specific authorized transmitter power, such use of the word "day" shall be construed to mean transmission on such frequency assignment or with such authorized transmitter power during that period of time included between 1 hour after local sunrise and 1 hour before local sunset.

(k) *Radio district.* The territory within each radio district, and the address of the Engineer in Charge of each radio district, is set out in § 0.121 of this chapter.

(l) *Commercial transport vessel.* Any ship or vessel which is used primarily in commerce (1) for transporting persons or goods to or from any harbor(s) or port(s) or between places within a harbor or port area, or (2) in connection with the construction, change in construction, servicing, maintenance, repair, loading, unloading, movement, piloting, or salvaging of any other ship or vessel.

(m) *Mile.* As used in this part, the term "mile" means a statute mile or 5,280 feet.

(n) *Installed.* As used in this part with respect to the requirements of radio apparatus in stations on land subject to this part, the term "installed" means installed in the particular station or vehicle to which the pertinent rule or regulation involving the use of this term is applied.

(o) *Shipyard land mobile unit.* A land vehicle operated and controlled by a shipyard and used for the transportation of shipyard personnel, material, or supplies.

#### § 81.3 Maritime mobile service.

(a) *Mobile service.* A service of radiocommunication between mobile and land stations, or between mobile stations.

(b) *Maritime and land mobile service—(1) Maritime mobile service.* A mobile service between coast stations and ship stations, or between ship stations, in which survival craft stations may also participate. (Aircraft stations, when transmitting on frequencies allocated to the maritime mobile service, may communicate in this service with ship stations and coast stations.)

(2) *Land mobile service.* A mobile service between base stations and land mobile stations, or between land mobile stations. (Only land mobile service carried on exclusively for maritime purposes is governed by this part.)

(c) *Mobile station.* A station in the mobile service intended to be used while in motion or during halts at unspecified points.

(d) *Land station.* A station in the mobile service not intended to be used while in motion.

(e) *Coast station.* A land station in the maritime mobile service.

(f) *Public coast station.* A coast station open to public correspondence.

(g) *Limited coast station.* A coast station, not open to public correspondence, which serves the operational and business needs of ships.

(h) *Class I coast station.* A coast station (public or limited) licensed to provide a maritime mobile service to ships at sea, including such service over distances up to several thousand miles, whose frequency assignment for this purpose includes appropriate frequencies below 150 kc/s or between 5,000 kc/s and 25,500 kc/s.

(i) *Class II coast station.* A coast station (public or limited) licensed to provide a maritime mobile service, primarily of a regional character, whose frequency assignment does not include any frequency below 150 kc/s or between 5,000 kc/s and 25,000 kc/s except on a secondary basis under specified conditions intended to minimize the possibility of interference to other stations having priority on these frequencies.

(j) *Class III coast station.* A coast station (public or limited) licensed to provide a maritime mobile service, primarily of a local character, whose frequency assignment does not include any frequency below 25,000 kc/s.

(k) *Operational designator.* The letter "A", "B", or "F", appended to the term "class I", "class II", or "class III", as these terms are defined in paragraphs (h), (i), and (j) of this section, designates that the coast station is licensed to render its normal service by means of (A) telegraphy, (B) telephony, or (F) facsimile. The designator "L" means "local" and is used to indicate (in lieu of a separate class III coast station license for the same station) that a class I or a class II station provides maritime mobile service of a local character on a frequency or frequencies above 30 Mc/s in addition to its service on other frequencies. Operational designators are used individually or in combinations of two or more, as may be appropriate to a particular coast station. Examples of coast station classification for regulatory and administrative purposes in accordance with these rules: Public I-A, Public III-B, Limited II-A, Limited III-BF, Public II-AB, Public II-BL, Public I-AL, etc.

(l) *Marine-utility coast station.* A coast station, readily portable for use as a limited coast station at unspecified points ashore within a designated local area.

(m) *Marine-utility ship station.* A ship station, readily portable for use as a limited ship station on mobile vessels within a designated local area.

(n) *Marine-utility station.* A coast or ship station in the maritime mobile service having a frequency assignment which is available for both marine-utility coast stations and marine-utility ship stations and licensed under one station authorization to operate as either a marine-utility coast station or a marine-utility ship station according to its location, pursuant to the provisions of paragraphs (l) and (m) of this section, at the time it is being operated.

(o) *Base station.* A land station in the land mobile service carrying on a service with land mobile stations.

(p) *Shipyard base station.* A land station, licensed and operated primarily as a limited coast station in the maritime mobile service, which is authorized additionally to be operated on a secondary basis as a base station for communication with shipyard mobile stations of the same licensee within a local geographic area designated by the Commission.

(q) *Land mobile station.* A mobile station in the land mobile service capable of surface movement within the geographical limits of a country or continent.

(r) *Shipyard mobile station.* A land mobile station on a shipyard land mobile unit used for communication solely with one or more shipyard base stations of the same licensee within a local geographic area designated by the Commission.

#### § 81.4 Maritime radiodetermination service.

(a) *Radiodetermination.* The determination of position, or the obtaining of information relating to position, by means of the propagation properties of radio waves.

(b) *Radiodetermination service.* A service involving the use of radiodetermination.

(c) *Maritime radiodetermination service.* A radiodetermination service intended for the benefit of ships.

(d) *Radionavigation.* Radiodetermination used for the purposes of navigation, including obstruction warning.

(e) *Radionavigation service.* A radiodetermination service involving the use of radionavigation.

(f) *Maritime radionavigation service.* A radionavigation service intended for the benefit of ships.

(g) *Radionavigation land station.* A station in the radionavigation service not intended to be used while in motion.

(h) *Shore radionavigation station.* A radionavigation land station performing a maritime radionavigation service.

(i) *Radar.* A radiodetermination system based on the comparison of reference signals with radio signals reflected, or retransmitted, from the position to be determined.

(j) *Shore radar station.* A shore radionavigation station utilizing radar.

- (k) *Radiolocation*. Radiodetermination used for purposes other than those of radionavigation.
- (l) *Radiolocation service*. A radiodetermination service involving the use of radiolocation.
- (m) *Maritime radiolocation service*. A radiolocation service intended for the benefit of ships.
- (n) *Radiolocation land station*. A station in the radiolocation service not intended to be used while in motion.
- (o) *Shore radiolocation station*. A radiolocation land station performing a maritime radiolocation service.
- (p) *Shore radiolocation training station*. A shore radiolocation station used solely to train and qualify persons in the effective use of maritime radiodetermination.
- (q) *Shore radiolocation test station*. A shore radiolocation station used solely for testing maritime radiodetermination apparatus incident to its manufacture, installation, repair, servicing, or maintenance.

#### § 81.5 Maritime fixed services.

- (a) *Fixed service*. A service of radiocommunication between specified fixed points.
- (b) *Fixed station*. A station in the fixed service.
- (c) *Operational fixed station*. A fixed station, not open to public correspondence, operated by and for the sole use of those agencies operating their own radiocommunication facilities in the public safety, industrial, land transportation, marine, or aviation services.
- (d) *Marine fixed station*. A fixed station, used primarily for safety communication which is established at a designated location in a water area of, or contiguous to, the United States, and isolated from the mainland by water or marsh.
- (e) *Marine control station*. An operational fixed station used to control the emissions or operation of a coast station at a separate location.
- (f) *Marine repeater station*. An operational fixed station used to retransmit, to a point of destination or to a message routing center, radiocommunications received at a coast station from ship or aircraft stations in the maritime mobile service.
- (g) *Marine relay station*. An operational fixed station used for communication between coast stations or between a coast station and an associated remote control point, which is intended to expedite the movement of message traffic to or from mobile stations in the maritime mobile service.
- (h) *Marine receiver-test station*. A fixed station used to simulate transmission from a ship station to a coast station for the purpose of periodically testing the normal receiving installation of a licensed coast station to determine that such receiving installation is in good working condition.

#### § 81.6 Developmental maritime stations on land.

- (a) *Developmental land station*. A land station operated for the express purpose of developing equipment or a technique solely for use only in that portion of

the non-government mobile service which has been specifically allocated the authorized frequency (or frequencies) of the developmental land station.

(b) *Developmental radiodetermination station*. A radiodetermination station operated for the express purpose of developing equipment or a technique solely for use only in that portion of the non-Government radiodetermination service (including the non-Government radionavigation service) which has been specifically allocated the authorized frequency (or frequencies) of the developmental radiodetermination station.

(c) *Developmental fixed station*. A fixed station operated for the express purpose of developing equipment or a technique solely for use only in that portion of the non-government fixed service which has been specifically allocated the authorized frequency (or frequencies) of the developmental fixed station.

(d) *Specific classification*. The specific classes of developmental stations on land licensed in the maritime mobile service, the maritime radiodetermination service (including maritime radionavigation service), and the maritime fixed services, are the same as classes defined in preceding sections of this part; however, for purposes of identification, the particular class of station is followed by the parenthetical indicator "(developmental)"; for example: "Public class III coast station (developmental)".

#### § 81.7 Operational.

(a) *Safety communication*. The transmission or reception of distress, alarm, urgency, or safety signals, or any communication preceded by one of these signals, or any form of radiocommunication which, if delayed in transmission or reception, may adversely affect the safety of life or property.

(b) *Superfluous radiocommunication*. Any transmission that is not necessary in properly carrying on the service for which the station is licensed.

(c) *Harmful interference*. Any emission, radiation, or induction which endangers the functioning of a radionavigation service or of other safety services, or seriously degrades, obstructs, or repeatedly interrupts a radiocommunication service operating in accordance with regulations in this chapter.

(d) *Distress signal*. (1) The distress signal is the international radiotelegraph or radiotelephone signal which indicates that a ship, aircraft, or other vehicle is threatened by grave and imminent danger and requests immediate assistance.

(2) In radiotelegraphy, the international distress signal consists of the group "three dots, three dashes, three dots", transmitted as a single signal in which the dashes are emphasized so as to be distinguished clearly from the dots.

(3) In radiotelephony, the international distress signal consists of the oral enunciation of the word "May day", pronounced as the French expression "m'aider". In case of distress, transmission of this particular sig-

nal is intended to insure recognition of a radiotelephone distress call by stations of any nationality.

(e) [Reserved]

(f) *Urgency signal.* (1) The urgency signal is the international radiotelegraph or radio telephone signal which indicates that the calling station has a very urgent message to transmit concerning the safety of a ship, aircraft, or other vehicle, or of some person on board or within sight.

(2) In radiotelegraphy, the international urgency signal consists of three repetitions of the group "XXX", sent before the call, with the letters of each group and the successive groups clearly separated from each other.

(3) In radiotelephony, the international urgency signal consists of three oral repetitions of the word "Pan" pronounced as the French word "panne" and sent before the call.

(g) *Safety signal.* (1) The safety signal is the international radiotelegraph or radiotelephone signal which indicates that the station sending this signal is ready to transmit a message concerning the safety of navigation or giving important meteorological warnings.

(2) In radiotelegraphy, the international safety signal consists of three repetitions of the group "TTT", sent before the call, with the letters of each group and the successive groups clearly separated from each other.

(3) In radiotelephony, the international safety signal consists of three oral repetitions of the French word "Securite", sent before the call.

(h) *Distress traffic.* All messages relative to the immediate assistance required by the ship, aircraft, or other vehicle in distress.

(i) *500 kilocycles silent period.* The three-minute period twice an hour beginning at x h 15 and x h 45, Greenwich mean time (GMT), during which the International Radio Regulations require that all transmissions (except for certain emissions designated in those Regulations) must cease on all frequencies within a designated frequency-band centered on 500 kc/s.

(j) *Watch.* The act of listening on a designated frequency.

(k) *Calling.* Transmission from a station solely to secure the attention of another station, or other stations, for a particular purpose.

(l) *Working.* Radiocommunication carried on, for a purpose other than calling, by any station or stations using telegraphy, telephony, or facsimile.

(m) *Control point.* An operating position associated with a particular station or stations which is:

(1) Under the control and supervision of the station licensee or his authorized agent; and

(2) A place at which the required monitoring and control facilities are available; and

(3) A place at which a duly licensed operator (or other person if the requirement for a licensed operator is waived by the Commission) responsible for the operation of the transmitter(s) is stationed.

(n) *Dispatch point.* A place from which radiocommunication may be transmitted under supervision of a responsible operator at a control point.

(o) *Operational communication.* Radiocommunication concerning the navigation, movement, or management of a ship or ships.

(1) *Navigation.* This includes the piloting of a vessel.

(2) *Movement.* This includes information and necessary communications relative to when and where the boat or ship will move or be moved as, for example, rendezvous at a port, basin, or marina, or for maneuvers during a cruise.

(3) *Management.* This includes the obtaining of necessary supplies for the ship, limited to immediate needs, and the scheduling of repairs or modifications to the ship, limited to communications with those directly involved in the repairs or modification or concerned with changes in the movement of the ship because of those repairs or modifications.

(p) *Port operations.* Communications in or near a port, or in locks or waterways, between coast stations and ship stations, or between ship stations, in which messages are restricted to those relating to the movement and safety of ships and, in emergency, to the safety of persons.

(q) *Business communication.* Radiocommunication pertaining to economic, commercial, or governmental matters related directly to the purposes for which a ship is being used.

#### § 81.8 Technical.

*Assigned frequency.* The frequency coinciding with the center of an authorized bandwidth of emission shall be specified as the assigned frequency. For single sideband radiotelephone emission the assigned frequency shall be 1.4 kc/s above the authorized carrier frequency.

*Authorized bandwidth.* The authorized bandwidth is the occupied bandwidth authorized to be used by a station.

*Authorized carrier frequency.* A specific carrier frequency authorized for use by a station, from which the actual or suppressed carrier frequency is permitted to deviate, solely because of frequency instability, by an amount not to exceed the frequency tolerance.

*Carrier power.* The average power supplied to the antenna transmission line by a transmitter during one radio frequency cycle under conditions of no modulation. This definition does not apply to pulse modulated emissions.

*Frequency tolerance.* The extent to which an actual or suppressed carrier frequency is permitted to depart, solely because of frequency instability, from the authorized carrier frequency. The frequency tolerance is expressed in parts in  $10^6$  or in cycles per second.

*Mean power.* The power supplied to the antenna transmission line by a transmitter during normal operation, averaged over a time sufficiently long compared with the period of the lowest frequency en-

countered in the modulation. A time of  $\frac{1}{10}$  second during which the mean power is greatest will be selected normally.

*Occupied bandwidth.* The frequency bandwidth such that, below its lower and above its upper frequency limits, the mean powers radiated are each equal to 0.5 percent of the total mean power radiated by a given emission.

*Peak envelope power.* The average power supplied to the antenna transmission line by a transmitter during one radio frequency cycle at the highest crest of the modulation envelope, taken under conditions of normal operation.

*Selective calling.* A means of calling in which signals are transmitted in accordance with a pre-arranged code for the purpose of operating a particular automatic attention device in use at the selected station whose attention is sought.

*Spurious emission.* Emission on a frequency or frequencies which are outside the necessary band, and the level of which may be reduced without effecting the corresponding transmission of information. Spurious emissions include harmonic emissions, parasitic emissions, and intermodulation products, but exclude emissions in the immediate vicinity of the necessary band, which are a result of the modulation process for the transmission of information.

## SUBPART B—APPLICATIONS<sup>1</sup>

### § 81.21 Authorization required for construction and operation of station.

(a) Any radio station required by the Communications Act to be licensed shall not be operated in any service regulated by this part except under and in accordance with a valid station authorization granted by the Commission. Further, the operation of such apparatus shall be conducted in conformity with the provisions of statute, international treaty or agreement, and the rules of the Commission relative to the licensing of operators.

**NOTE:** The Commission has exempted certain low power radio devices from its general licensing requirements; the extent of this exemption and related matters are set forth in Part 15, "Radio Frequency Devices", of this chapter. Licensing procedures and exemptions applicable to radio apparatus used for medical purposes, industrial heating, and other miscellaneous purposes not involving radiocommunication are set forth in Part 18, "Industrial, Scientific, and Medical Equipment", of this chapter.

(b) No license shall be issued by the Commission for the operation of any station subject to this part, unless a permit for construction has first been granted by the Commission upon written application therefor.

<sup>1</sup> For additional information concerning applications and for information concerning procedure relative to hearings, oral arguments, petitions, etc., refer to Part 1 of this chapter.

### § 81.22 Administrative classification of stations.

(a) Stations in the maritime mobile service subject to this part are licensed according to the class of station as designated below:

- (1) Public class I coast stations.
- (2) Public class II coast stations.
- (3) Public class III coast stations.
- (4) Limited class I coast stations.
- (5) Limited class II coast stations.
- (6) Limited class III coast stations.
- (7) Marine utility stations.

(b) Stations in the maritime radiolocation service subject to this part are licensed according to the class of station as designated below:

- (1) Shore radiolocation stations;
- (2) Shore radiolocation training stations;
- (3) Shore radiolocation test stations.

(c) Stations in the maritime radionavigation service subject to this part are licensed according to the class of station as designated below:

- (1) Shore radionavigation stations.
- (2) Shore-radar stations.

(d) Stations in the fixed service subject to this part are licensed according to the class of station as designated below:

- (1) Marine fixed stations.
- (2) Marine control stations.
- (3) Marine repeater stations.
- (4) Marine relay stations.
- (5) Marine receiver-test stations.

(e) Stations in the land mobile service subject to this part are licensed according to the class of station designated below:

- (1) Shipyard base stations.
- (2) Shipyard mobile stations.

Station licenses shall not be issued solely to authorize the use and operation of shipyard base stations and shipyard mobile stations. License authority to use and operate such stations shall be included in the station license which provides for use and operation of the land station facilities primarily as a limited coast station in the maritime mobile service.

### § 81.23 Statutory eligibility for station license.

A station license shall not be granted to or held by:

(a) Any alien or the representative of any alien;

(b) Any foreign government or the representative thereof;

(c) Any corporation organized under the laws of any foreign government;

(d) Any corporation of which any officer or director is an alien;

(e) Any corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country;

(f) Any corporation directly or indirectly controlled by any other corporation of which any officer or more

than one-fourth of the directors are aliens, if the Commission finds that the public interest will be served by the refusal or revocation of such license; or

(g) Any corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representatives thereof, or by any corporation organized under the laws of a foreign country, if the Commission finds that the public interest will be served by the refusal or revocation of such license.

#### § 81.24 Application precedent to authorization.

Except as otherwise provided in §§ 81.26 and 81.41, no authorization will be granted for use or operation of any radio station on land in any service governed by this part, nor for any change in station control, facilities, services, equipment or antenna, unless formal written application therefor in proper form first is filed with the Commission. Standard forms are prescribed herein for use in connection with the majority of applications submitted for Commission consideration. These forms may be obtained without cost from the Commission at Washington, D.C., 20554, or from any of its engineering field offices. Except as otherwise permitted by this part, a separate application shall be filed in respect to each station and service subject to this part. Each application for radio station authorization, and all correspondence relating thereto, shall be submitted in duplicate (unless otherwise specified in a particular case or with respect to a particular form) to the Commission's main office in Washington, D.C. Except as otherwise provided in §§ 81.32 and 81.41, an application should be filed at least 60 days prior to the earliest date on which it is desired that the requested authorization be granted by the Commission in order that action thereon may be taken by that date. The application shall be specific and complete with regard to the information required in the application form, or otherwise specifically requested by the Commission.

【§ 81.24 as amended eff. 8-28-64; IV(64)-1】

#### § 81.25 Who may sign applications.

(a) Except as provided in paragraph (b) of this section, applications, amendments thereto, and related statements of fact required by the Commission shall be personally signed by the applicant, if the applicant is an individual; by one of the partners, if the applicant is a partnership; by an officer, if the applicant is a corporation; or by a member who is an officer, if the applicant is an unincorporated association. Applications, amendments, and related statements of fact filed

on behalf of eligible government entities, such as states and territories of the United States and political subdivisions thereof, the District of Columbia, and units of local government, including incorporated municipalities, shall be signed by such duly elected or appointed officials as may be competent to do so under the laws of the applicable jurisdiction.

(b) Applications, amendments thereto, and related statements of fact required by the Commission may be signed by the applicant's attorney in case of the applicant's physical disability or of his absence from the United States. The attorney shall in that event separately set forth the reason why the application is not signed by the applicant. In addition, if any matter is stated on the basis of the attorney's belief only (rather than his knowledge), he shall separately set forth his reasons for believing that such statements are true.

(c) Only the original of applications, amendments, or related statements of fact need be signed; copies may be conformed.

(d) Applications, amendments, and related statements of fact need not be signed under oath. Willful false statements made therein, however, are punishable by fine and imprisonment, U.S. Code, Title 18, section 1001, and by appropriate administrative sanctions, including revocation of station license pursuant to section 312(a)(1) of the Communications Act of 1934, as amended.

#### § 81.26 Informal applications.

An application not submitted on a standard form prescribed by the Commission is an informal application. Each informal application shall be submitted in duplicate, normally in letter form, and, except as provided in § 81.41, the original copy shall be signed as provided in § 81.25. Each application shall be clear and complete within itself as to the facts presented and the action desired.

#### § 81.27 Defective applications.

(a) An application which is defective with respect to completeness of answers to required questions, execution, or other matters of a purely formal character, will not be received for filing by the Commission, unless the Commission shall otherwise direct, and will be returned to the applicant with a brief statement as to the defect.

(b) An application which is not made in accordance with the Commission's rules, regulations, or other requirements, will be considered defective unless accompanied either (1) by a petition to amend the rule or regulation with which the application is in conflict, or (2) by a request of the applicant for waiver of, or

exception to, any rule, regulation or requirement with which the application is in conflict. Such request shall show the nature of the waiver or exception desired and set forth the reasons in support thereof.

(c) If an applicant is requested by the Commission to file any documents or information not included in the prescribed application form, a failure to comply with such request will constitute a defect in the application.

#### § 81.28 Amendment of applications.

(a) Any application may be amended as a matter of right prior to the designation of such application for hearing by filing the appropriate number of copies of the amendments duly executed. Requests to amend an application after it has been designated for hearing will be considered only upon written petition properly served upon the parties of record, and will be granted only for good cause shown. A petition which requests either a change in frequency or power must be accompanied by the signed statement of a person with knowledge of facts as to whether or not consideration has been promised to or received by petitioner, directly or indirectly, in connection with the filing of such petition for amendment. If such consideration has been promised or received, the statement shall set forth in full detail all the relevant facts. A petition to amend an application will not be accepted (other than an amendment which is merely pro forma in nature, such as the removal of a named person because of death) if it is filed after public notice has been given of the issuance of a proposed decision with respect to such application, or of a recommended or an initial decision, as the case may be, where no proposed decision is to be issued.

(b) When leave to amend has been granted after an application has been designated for hearing, the application will not be removed from the hearing docket unless the Commission shall determine that the proposed amendment substantially affects the issues upon which the application has been designated for hearing and orders that the application shall be removed from the hearing docket. An amended application which has been removed from the hearing docket will be reexamined by the Commission and, when necessary, will be redesignated for hearing at a subsequent time.

#### § 81.29 Dismissal of applications.

Any application may be dismissed without prejudice as a matter of right prior to the designation of such application for hearing. Requests to dismiss an application without prejudice after it has been designated for hearing will be considered only upon written petition properly served upon all parties of record. Such petition must be accompanied by the signed statement of a person with knowledge of the facts as to whether or not consideration has been promised to or received by petitioner, directly or indirectly, in connection with the filing of such petition for dismissal of the application. Such petition to dismiss an application without prejudice will be granted only for good cause shown, but will, in no event, be granted after public notice has been given by the Commission of the issuance of a proposed decision proposing to deny the application.

#### § 81.30 Partial grant of application.

Whenever the Commission, without a hearing, grants an application in part, or with any privileges, terms, or conditions other than those requested, the action of the Commission shall be considered as a grant of such application unless the applicant shall, within 30 days from the date on which such grant is made, or from its effective date if a later date is specified, file with the Commission a written protest, rejecting the grant as made. Upon receipt of such protest, the Commission will vacate its original action upon the application and, if necessary, set the application for hearing in the same manner as other applications are set for hearing.

#### § 81.31 Establishment of station.

(a) Application for permit to construct a station, other than a fixed station using frequencies above 952 Mc/s, subject to this part shall be submitted on FCC Form 407. Application for permit to construct a fixed station using frequencies above 952 Mc/s (a so-called microwave station) shall be submitted on FCC Form 402. When actual construction is not involved, the term "construct" as used herein is construed to mean "installation" or any action of an equivalent nature involved in preparing the station for actual operation prior to the issuance of a station license.

(b) [Reserved]

(c) [Reserved]

(d) The location of the control point shall be specified in the application for construction permit. The location of the control point may be the same as that of the transmitting equipment or it may be a separate location. More than one control point for the same transmitting equipment is permissible if specified in the application and authorized by the Commission.

(e) Each application for construction permit shall include such supplementary information as is prescribed in other applicable sections of this part, with respect to the particular class of station for which a station authorization is requested.

(f) In order to minimize possible harmful interference at the National Radio Astronomy Observatory site located at Green Bank, Pocahontas County, West Virginia, and at the Naval Radio Research Observatory site at Sugar Grove, Pendleton County, West Virginia, any applicant for a station authorization other than mobile, temporary base, or temporary fixed, seeking a station license for a new station, a construction permit to construct a new station or to modify an existing station license in a manner which would change either the frequency, power, antenna height or directivity, or location of such a station within the area bounded by 39°15' N on the north, 78°30' W on the east, 37°30' N on the south and 80°30' W on the west shall, at the time of filing such application with the Commission, simultaneously notify the Director, National Radio Astronomy Observatory, P.O. Box #2, Green Bank, West Virginia, 24944, in writing, of the technical particulars of the proposed station. Such notification shall include the geographical coordinates of the antenna, antenna height, antenna directivity if any, proposed frequency, type of emission, and power. In addition, the applicant shall indicate in his application to the Commission the date notification was made to the Observatory. After receipt of such application,

the Commission will allow a period of twenty (20) days for comments or objections in response to the notifications indicated. If an objection to the proposed operation is received during the twenty day period from the National Radio Astronomy Observatory for itself or on behalf of the Naval Radio Research Observatory, the Commission will consider all aspects of the problem and take whatever action is deemed appropriate.

(g) An application for construction permit, filed pursuant to this section, which shows on its face that the antenna structure will extend more than 20 feet above the ground or natural formation or more than 20 feet above an existing man-made structure (other than an antenna structure) shall be accompanied by FCC Form 714 indicating that notification has or has not been submitted to the Federal Aviation Agency.

(h) Applicants proposing to construct a radio station on a site located on land under the jurisdiction of the U.S. Forest Service, U.S. Department of Agriculture, or the Bureau of Land Management, U.S. Department of the Interior, must supply the information and must follow the procedure prescribed by § 1.70 of this chapter.

【§ 81.31 amended in IV(64)-1 and IV(64)-4; (h) adopted eff. 3-20-67; IV(64)-8】

#### § 81.32 Changes prior to completion of station.

(a) When, during the term of a construction permit, any change is to be made in respect to a station which would result in a deviation from the terms of the permit, application for modification of such permit shall be filed on FCC Form 407 or, in the case of microwave stations, on FCC Form 402.

(b) [Reserved]

(c) FCC Form 701 shall be used whenever it is necessary to request an extension of the time limit

specified on a valid construction permit. Such application shall be filed at least 30 days prior to the expiration date of the permit if the facts supporting such application for extension are known to the applicant in time to allow such filing. In other cases, such application will be accepted upon a showing satisfactory to the Commission of the reason for filing within less than 30 days prior to the expiration date. Such application shall contain specific and detailed information showing that failure to complete construction within the authorized period is the result of causes beyond the control of the permittee, or that the applicant has been diligent in his efforts to complete the construction of the proposed station.

(d) An application for modification of construction permit, filed pursuant to this section, which shows on its face that the antenna structure will extend more than 20 feet above the ground or natural formation or more than 20 feet above an existing man-made structure (other than an antenna structure) shall be accompanied by FCC Form 714 indicating that notification has or has not been submitted to the Federal Aviation Agency.

**¶ 81.32 amended in IV(64)-1; as further amended to delete par. (b) eff. 10-11-65; IV(64)-4.]**

#### **§ 81.33 Application concerning marine-utility stations.**

(a) A permit for construction of a marine-utility station is not required when such station is to be used and operated solely on board mobile vessels. In such circumstances, the marine-utility station is subject to the provisions of Part 83 of this chapter and application for station license may be filed in accordance with the applicable sections of that part.

(b) Whenever a marine-utility station is to be used and operated at any location on land (whether or not it is to be used and operated additionally on board mobile vessels) such station is subject to the applicable provisions of this part and an application for construction permit to establish such station shall be filed with the Commission.

#### **§ 81.34 Temporary and permanent station locations.**

(a) Whenever a station (other than a marine-utility station or a shipyard mobile station) is to be used and operated, on and after the effective date of the station license, at any single location for a period of less than six months, the station location is construed to be temporary. An application for construction permit relative to such station shall specify the station location as temporary, and shall designate each temporary location at which the station is to be used and operated or shall specify the general geographic area within

which the use and operation of the station will be confined.

NOTE: A general area may be designated in terms of a specific city, county, state, region, etc., or more than one of these designations may be specified. See also §§ 81.70 and 81.71.

(b) Whenever a station (other than a marine-utility station or a shipyard mobile station) is to be used and operated, on and after the effective date of the station license, at a single location for six months or more, the station location is construed to be permanent and shall be designated accurately in the application for construction permit.

#### **§ 81.35 Application for station license.**

Upon completion of construction in accordance with the terms of the construction permit (as modified if a modified permit has been issued), an application for station license shall be submitted on FCC Form 403, except in the case of microwave stations where such application shall be submitted on FCC Form 402.

#### **§ 81.36 Changes during license term.**

(a) When, during the term of a station license, any change is to be made in respect to the station, or with respect to its use and operation, which would result in a deviation from the terms of the license, an application for construction permit or modification of license, as the case may require, shall be filed as prescribed in paragraphs (b), (c), and (d) of this section.

(b) Authority for any physical change in the construction of the transmitting equipment or installation, or for the addition of radio transmitting apparatus, or for any change in station location, or for any change in antenna structures of the nature for which a construction permit is required, shall be requested by filing an appropriate application for construction permit on FCC Form 407 or in the case of microwave stations on FCC Form 402. If a physical change in the antenna structure(s) is proposed, a description of any marking currently required shall be supplied as part of the necessary application. Upon completion of the construction, installation, or change in station location or antenna structure(s) in accordance with the terms of the construction permit, an appropriate application for modification of station license shall be submitted on FCC Form 408, or in the case of microwave stations on FCC Form 402.

(c) Authority for any change in the use and operation of the station, other than physical changes of the nature prescribed in paragraph (b) of this section, shall be requested by filing an appropriate application

on FCC Form 403 or in the case of microwave stations on FCC Form 402 for modification of station license.

(d) In accordance with § 81.24, an application for modification of a station license shall be submitted not less than 60 days prior to the date contemplated for such modification of license in order that action thereon be taken by that date.

(e) An application for construction permit, filed pursuant to this section, which shows on its face that the antenna structure will extend more than 20 feet above the ground or natural formation or more than 20 feet above an existing man-made structure (other than an antenna structure) shall be accompanied by FCC Form 714 indicating that notification has or has not been submitted to the Federal Aviation Agency.

【§ 81.36(e) adopted in IV(64)-1; par. (b) as amended eff. 10-11-65; IV(64)-4】

#### § 81.37 Renewal of license.

Application for renewal of station license shall be submitted on FCC 405-A. All applications for renewal of license must be made during the license term and should be filed within 90 days but not later than 30 days prior to the end of the license term. In any case in which the licensee has, in accordance with the provisions of this chapter, made timely and sufficient application for renewal of license, no license with reference to any activity of a continuing nature shall expire until such application shall have been finally determined.

#### § 81.39 Applications filed concurrently.

(a) Applications of different category but in respect to the same station and radio service may be filed concurrently by the same applicant as prescribed in this section:

(1) Applications for modification of station license and for renewal of station license.

(2) Application for construction permit and for station license or related modification of license where the complete transmitter(s) is (are) available for immediate use and operation, including all necessary apparatus required for the service to be rendered, and where no construction is involved.

(3) Application for modification of construction permit and for station license: *Provided*, Such application for modification of construction permit does not request authority for any additional construction, exten-

sion of time in which to complete construction, or change in construction of the station (including the height of the antenna or supporting structures): *And further provided*, That the complete transmitter(s) and all accessory apparatus required for the service to be rendered are available for immediate use and operation in accordance with the terms of the modified permit desired.

(4) Application for modification of station license and for consent to voluntary assignment or transfer of control of station license.

(5) Applications for renewal of station license and for consent to voluntary assignment or transfer of control of station license.

(b) Applications of different category in respect to the same land station used, or to be used, primarily as a limited coast station in the maritime mobile service and secondarily as a shipyard base station (with associated shipyard mobile stations) in the land mobile service may be filed concurrently by the same applicant in the same manner as is prescribed in paragraph (a) of this section concerning applications in respect to the same station and radio service.

【§ 81.39(a)(2) as amended eff. 10-11-65; IV(64)-4】

#### § 81.40 One application for plurality of stations.

(a) As indicated below, one application may be submitted to cover two or more stations subject to the conditions prescribed in paragraph (b) of this section: *And provided*, The individual stations covered by each application are clearly identified therein:

(1) Applications for construction permits and for station licenses for marine-utility stations to be used and operated in the same geographic area.

(2) Application for modification of construction permits for marine-utility stations to be used and operated in the same geographic area when the modification requested is the same for all stations covered by the application;

(3) Application for modification of station licenses for any class of station subject to this part when the modification requested is the same for all stations covered by the application;

(4) Application for consent to assignment or control of station authorization;

(5) Application for construction permit(s) for shipyard mobile stations to be used and operated in association with the same shipyard base station(s);

(6) Application for modification of construction permit(s) for shipyard mobile stations to be used and operated in association with the same shipyard base station(s), when the modification requested is the same for all stations covered by the application.

(b) The provisions of paragraph (a) of this section shall apply only when the following elements are the same in respect to all of the existing or requested station authorizations involved at the time the application is filed:

- (1) Applicant;
- (2) Nature of service(s) and class(es) of station(s);
- (3) Legal control of the station(s);
- (4) Expiration date of the station authorization when application is made for modification or renewal thereof.

**§ 81.41 Application for special temporary authority for installation and operation of transmitting apparatus.**

(a) Upon receipt of application therefor, the Commission may grant special temporary authorization for a period not to exceed 3 months for the installation and operation of transmitting apparatus in the maritime mobile service or the maritime radiodetermination service (provided the proposed operation is not in conflict with the rules and regulations of the Commission) with a station classification in accordance with § 81.6 or 81.22, under the following conditions:

(1) In cases which require the immediate use of existing and available radio transmitting apparatus not already authorized for the desired operation;

【§ 81.41(a)(1) as amended eff. 10-11-65; IV(64)-4】

(2) In cases where an urgent need is shown for operation of an authorized station (without the addition of more radio transmitting apparatus or increase in height of antenna structures) for a limited time only, in a manner or for a period of time other than that specified in the existing station authorization;

(3) For the purpose of conducting a field survey to obtain necessary data in connection with the filing of one or more formal applications. In this case, authority shall be requested for the development operation only, and those sections of this part applicable to development stations shall govern the nature of the application.

(b) Whenever practicable, an application for special temporary authority shall be filed as a formal ap-

plication on a form or forms prescribed in the applicable section(s) of this part. When necessary, however, such applications may be filed as an informal application as prescribed in § 81.26. The form(s) to be used and the procedure in filing shall be governed by the provisions of this part applicable to the type of document (construction permit, license, modification thereof, etc.) which would be requested normally in a particular case in lieu of special temporary authority.

(c) An application for special temporary authority shall be filed in written form not less than ten days prior to the earliest date of proposed operation thereunder unless acceptable explanation of reason for failure to meet the time limitation is included with the application form.

(d) Each application for special temporary authority shall contain the following information:

- (1) Name and address of applicant;
- (2) Official call letters of any valid station authorization already held by applicant, and the station location;
- (3) Relation of applicant to the owner of any transmitting equipment for which initial authority is requested;
- (4) Class of station and nature of service;
- (5) Station(s) or class of station with which communication will be carried on;
- (6) Carrier frequency or frequencies, class of emission, and emission-handwidth to be employed, if these elements are involved;
- (7) Equipment to be used, specifying the manufacturer, model number, the normal plate input power to the last radio stage, and frequency tolerance that can be maintained if these elements are involved;
- (8) The date(s) and time(s) of the proposed operation;
- (9) Complete particulars concerning purpose, nature, and location of proposed operation;
- (10) Explanation of the need for special temporary authority in lieu of normal type of authorization;
- (11) Description of antenna to be used, including height.

【§ 81.41(d)(11) added eff. 10-11-65; IV(64)-4】

(e) Each application for special temporary authority submitted by an applicant who does not hold a valid station authorization issued by the Commission, or has

not already filed formal application therefor, shall, in addition to the information required under paragraph (c) of this section, contain such factual statements as may be necessary for the Commission to determine whether or not the granting of the desired authorization will be in accordance with the citizenship eligibility requirements of section 310 of the Communications Act.

**§ 81.42 Applications for consent to assignment of construction permit or station license or for consent to transfer of control of corporation holding same.**

(a) *Voluntary.* (1) Application for consent to voluntary assignment of a construction permit or license covering a station subject to this part, other than fixed stations using frequencies above 952 Mc/s, shall be filed with the Commission on FCC Form 702, "Application for Consent to Assignment of Radio Station Construction Permit or License"; fixed stations using frequencies above 952 Mc/s shall use FCC Form 402, "Application for Microwave Station Authorization in the Safety and Special Radio Services", for this purpose.

(2) Application for consent to voluntary transfer of control of a corporation holding a construction permit or license covering a station subject to this part shall be filed on FCC Form 703, "Application for Consent to Transfer of Control of Corporation Holding Construction Permit or Station License". The applications specified herein shall be filed at least 60 days prior to the contemplated effective date of assignment or transfer of control.

(b) *Involuntary.* In the event of the death or legal disability of a permittee or licensee, or a member of a partnership which is a permittee or licensee, or a person directly or indirectly in control of a corporation which is a permittee or licensee:

(1) The Commission shall be notified in writing promptly of the occurrence of such death or legal disability; and

(2) Within 30 days after the occurrence of such death or legal disability, application on FCC Form 702, FCC Form 402, or FCC Form 703, as the case may require, shall be filed for consent to involuntary assignment of such station permit or license or for involuntary transfer of control of such corporation to a person or entity legally qualified to succeed to the foregoing interests under the laws of the place having jurisdiction over the estate involved.

**§ 81.43 Application precedent to hearing.**

Whenever the Commission regards an application for renewal of license as essential to the proper conduct of a hearing or investigation and specifically directs that the licensee file such application by a certain date, the application shall be filed within the time thus specified. If the licensee fails to file such application within the prescribed time, the hearing or investigation shall proceed as if such renewal application had been received.

**§ 81.44 Failure to prosecute applications.**

An applicant not desiring to prosecute his application may request that it be dismissed without prejudice. A request of an applicant for the return of an application which has been accepted for filing will be considered as a request to dismiss the same without prejudice. Where an applicant fails to respond to official correspondence or request for additional material, the application will be dismissed without prejudice.

**§ 81.45 Inconsistent or conflicting applications.**

When an applicant has an application pending or undecided, no other inconsistent or conflicting application filed by the same applicant, his successor or assignee, or on behalf of or for the benefit of said applicant, will be considered by the Commission.

**§ 81.46 Applications for authority to discontinue, reduce or impair service provided by a public coast station.**

(a) Procedures relating to applications under section 214 of the Communications Act for authority to discontinue, reduce or impair service provided by a public coast station are set out in Part 63 of this chapter.

(b) Licensees of public coast stations who propose to discontinue service at the end of any license period shall file an appropriate application for discontinuance of service, as provided in Part 63 of this chapter. Any licensee of a public coast station who has filed, or who proposes to file, an application for authority to discontinue service provided by such station shall, during the period that such application is pending before the Commission, continue to file appropriate applications as may be necessary for extension or renewal of station license in order to provide legal authorization for such station to continue in operation pending final action on the application for discontinuance of service.

**§ 81.47 Request for amendment or waiver of rules.**

(a) Any provisions of the rules in this part (except those provisions which set forth specific requirements, not subject to waiver or change, of any applicable statute, or any applicable international agreement to which the United States is a signatory party) may be repealed, amended, or supplemented, subject to the provisions of the Administrative Procedure Act. Any interested person may petition for issuance, amendment, or repeal of any rule or regulation governing stations in the maritime mobile service, maritime radiodetermination service, or fixed service subject to this part. Such petition may be filed in relation to specific applications for station authorization, or independently thereof, and shall show the text of the proposed rules, and shall set forth the reasons in support of the petition.

(b) Any provision of the rules in this part (except those provisions which set forth specific requirements, not subject to waiver or change, of any applicable statute, or any applicable international agreement to

which the United States is a signatory party) may be waived by the Commission, if the Commission finds that important or exceptional circumstances require such waiver and that the public interest will be served thereby. A request for such waiver may be filed in relation to specific applications for station authorization, or independently thereof, and shall set forth in detail the reason(s) said waiver is considered to be necessary, and how the public interest would be served thereby.

#### § 81.48 Applications in an emergency.

(a) In cases of emergency involving danger to life or property or due to damage to equipment, applications for a construction permit and a station license, or modification or renewal thereof, may be filed by telegram or letter. In the event that the Commission finds that such an emergency exists, temporary authorization may be granted to construct or operate a station in accordance with the request for the duration of such emergency: *Provided*, That in such cases as may be considered necessary by the Commission, the applicant may be required to supplement such request by filing, as soon as practicable thereafter, a written application for the same authorization as normally prescribed by applicable provisions of this part.

(b) Each application submitted under the provisions of paragraph (a) of this section shall contain, as a minimum requirement, the following information:

- (1) Name of applicant;
- (2) Name of agent, if application is made by an agent, in cases under § 1.913 of this chapter;
- (3) Location of proposed installation or operation;
- (4) Official call letters of any valid station authorization already held by applicant and the station location;
- (5) Class of station desired (not required for renewal, nor for modification unless class of station is to be modified);
- (6) Frequency assignment, authorized transmitter powers, and authorized class or classes of emission desired (not required for renewal; required for modification only to the extent such information may be involved);
- (7) Equipment to be used, specifying the manufacturer and model number (not required for renewal; required for modification only to the extent such information may be involved);
- (8) Specific stations with which communication is desired (not required for renewal; otherwise required only when applicable under the Commission's rules);

(9) Statement of facts which in the opinion of the applicant, constitute an emergency to be found by the Commission for the purpose of this section including estimated duration of emergency.

**NOTE:** This statement should include a showing that circumstances beyond the control of the applicant prevented the filing of an application as normally prescribed by applicable provisions of this part on a date which would assure its receipt by the Commission in time sufficient for the Commission to take appropriate action thereon.

(c) Each application submitted under the provisions of paragraph (a) of this section shall, in addition to the information specified in paragraph (b) of this section, contain such of the following information as is not already on file with the Commission:

- (1) Address of applicant;
- (2) Address of agent, if application is made by an agent, in cases under § 1.913 of this chapter;
- (3) Relation of applicant to owner of transmitting equipment involved;

(4) Factual statements to the extent necessary for the Commission to determine whether or not the granting of the desired authorization will be in accordance with the citizenship eligibility requirements of section 310 of the Communications Act.

【§ 81.48(c)(2) reference to § 1.503 corrected to § 1.913; IV(64)-10】

#### § 81.49 [Deleted]

【§ 81.49 deleted eff. 1-3-66; IV(64)-5】

#### § 81.50 [Deleted]

【§ 81.50 deleted eff. 1-3-66; IV(64)-5】

### SUBPART C—STATION AUTHORIZATION

#### § 81.61 Construction period.

Each radio station construction permit issued by the Commission will specify the date of grant as the earliest date of commencement of construction and installation, and a maximum of eight months thereafter as the time within which construction shall be completed and the installation ready for operation, unless otherwise determined by the Commission in any particular case.

#### § 81.62 Forfeiture of construction permit.

A radio station construction permit shall be automatically forfeited if the construction authorized by such permit is not completed within the time specified there-

(b) Fees are not required in the following instances: Applications filed pursuant to §§ 81.41(b) and 81.48 (informal applications for special temporary authority and applications in an emergency). Applications filed by governmental entities.

## SUBPART C—STATION AUTHORIZATION

### § 81.61 Construction period.

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### § 81.62 Forfeiture of construction permit.

A radio station construction permit shall be automatically forfeited if the construction authorized by such permit is not completed within the time specified therein or within such further time as the Commission may have allowed for completion unless prevented by causes not under the control of the holder of the construction permit.

**NOTE:** A notation of the forfeiture of any construction permit under this provision will be placed in the records of the Commission as of the expiration date.

### § 81.63 Changes in licensed station.

(a) A change may be made in licensed transmitting equipment without making application to the Commission and without specific authorization from the Commission: *Provided*:

(1) The change does not result in operation inconsistent with the rules of the Commission nor with the terms of the outstanding authorization for the station involved.

(2) A description of the change is incorporated in the next application for renewal modification of license.

(b) Prior authorization from the Commission is required before the following antenna changes may be made at any station other than a marine-utility station:

(1) Any change that will increase or decrease by more than five feet the overall height of an antenna used for transmission on any frequency or frequencies above 100 Mc/s.

(2) Any change that will appreciably modify the power gain or radiation pattern of an antenna used for transmission on any frequency or frequencies.

(3) Any change in the antenna structures which will result in such structures exceeding an over-all height of 170 feet above ground level.

(4) Any change in the antenna structures or their location which will result in such structures exceeding an overall height of one foot above the established airport elevation for each 200 feet of distance, or fraction

thereof, from the nearest boundary or such landing area, except where the height of the antenna does not exceed 20 feet above the ground or if the antenna is mounted on top of an existing manmade structure, or natural formation and does not increase the overall height of such manmade structure or natural formation by more than 20 feet.

(5) Any change in antenna structures or their location when such structures already are required to be marked in accordance with Part 17 of this chapter.

**Notes:** The term "antenna structures" includes the radiating system and its supporting structure. For detailed information on this subject, see Part 17 of this chapter.

(c) Changes, except as designated in paragraph (b) of this section, may be made in the antenna or antenna supporting structures of a licensed station without specific authorization from the Commission: *Provided*, That, for stations other than marine-utility stations:

(1) The Commission at Washington, D.C., and the Commission's Engineer in Charge of the inspection district in which the station is located are notified in advance of such changes; and

(2) A description of such changes is incorporated in the next application for renewal or modification of the station license.

¶§ 81.63(b)(4) as amended eff. 10-11-65; IV(64)-4

### § 81.64 Equipment and service tests.

(a) Equipment and service tests of any radio transmitting facilities authorized by a construction permit issued by the Commission in respect to a station subject to this part may be conducted as prescribed in paragraphs (b), (c), and (d) of this section: *Provided*, That necessary precautions are taken to avoid interference to the service of other authorized stations.

(b) Equipment test: Upon completion of construction or installation of radio transmitting facilities in a station in exact accordance with the terms of the related construction permit, the technical provisions of the application therefor, and the rules and regulations governing the class of station concerned, and prior to the filing of an application for license or modification of license, the permittee is authorized to test the equipment in accordance with applicable terms of the construction permit for a period not to exceed 10 days: *Provided*, That the Commission's Engineer in Charge of the radio district in which the station is located is notified two days in advance of the beginning of tests and that the permittee is not notified by the Commission to cancel, suspend, or change the date(s) for such tests.

(c) Service test: When equipment tests have been completed, and after application for station license or modification thereof has been filed with the Commission showing the transmitting equipment and associated apparatus to be in satisfactory operating condition, the permittee is authorized to conduct service tests in exact accordance with the terms of the construction permit for a period not to exceed 30 days:

*Provided*, That the Commission's Engineer in Charge of the radio district in which the station is located is notified two days in advance of the beginning of such tests and that the permittee is not notified by the Commission to cancel, suspend, or change the date(s) for such tests.

(d) Limitations: The authorization for tests embodied in paragraphs (b) and (c) of this section shall not be construed as constituting a license to operate but as a necessary part of the authorized construction. Equipment and service tests shall not commence after the expiration date of the construction permit.

(e) Common carrier service tests: When new stations in common carrier services are ready in all respects to be placed in service, equipment and service tests are authorized to be conducted as outlined in paragraphs (b) and (c) of this section: *Provided*, All necessary precautions are taken to avoid interference to any other authorized station. No service may be furnished to the public during the equipment test period. Charges for services furnished during the service test period may be made, pursuant to the provisions of legally applicable tariffs.

NOTE: See § 61.62 of this chapter.

#### § 81.65 License term.

(a) Licenses for stations in the maritime service are normally issued to expire at 3:00 a.m., e.s.t., five years from date of grant.

(b) Licenses for stations engaged in developmental operation will be issued on a temporary basis for a specific period of time, but in no event to extend beyond one year from date of grant.

#### § 81.68 One authorization for plurality of stations.

(a) Unless otherwise determined by the Commission, one construction permit or one station license may be issued to authorize the construction, or use and operation, respectively, of a designated maximum number of marine utility stations, normally in multiples of ten stations, whenever the following elements are the same for each station and the requirement specified in paragraph (b) of this section is fulfilled.

(1) The permittee or station licensee, as applicable;

(2) The conditions which establish and maintain control of the station by the permittee or the station licensee, as applicable;

(3) The local geographic area to which use of the particular station will be confined;

(4) The type(s) of transmitting equipment to be authorized (different types of transmitting equipment, which are recognized by the Commission as being equivalent on an engineering basis, shall, for the purpose of this section, be considered as the same type);

(5) The authorized transmitter power of identical types of transmitting equipment to be authorized;

(6) The frequency assignment, and the authorized transmitter-power, and class or classes of emission authorized for each radio-channel.

(b) The transmitting equipment authorized for use by the station license shall not be authorized in any other instrument of authorization issued by the Commission.

(c) Unless otherwise directed by the Commission, one construction permit or one station license shall be issued to authorize the construction, or use and operation, respectively, of (1) a land station to be operated primarily as a limited coast station in the maritime mobile service and on a secondary basis as a shipyard base station in the land mobile service, and (2) one or more shipyard mobile stations in the land mobile service which are to communicate with such land station from within the local geographic area in which the land station is located.

#### § 81.69 Transfer or assignment of station authorization.

Section 310(b) of the Communications Act expressly provides that a station license granted by the Commission, the frequencies authorized to be used by the licensee, and the rights therein granted shall not be transferred, assigned, or in any manner either voluntarily or involuntarily disposed of, or indirectly by transfer of control of any corporation holding such license, to any person, unless the Commission shall, after securing full information, decide that said transfer is in the public interest, and shall give its consent in writing.

#### § 81.70 Authorized station location.

(a) Whenever a station (other than a marine-utility station or a shipyard mobile station) is to be used and operated, on and after the effective date of the station license, at any single location for a period of less than six months, the station location is construed to be temporary and shall be designated in the station authorization as temporary together with either a specific temporary location or locations or within a prescribed geographic area, in accordance with information included in the related application for station authorization.

(b) Whenever a station (other than a marine-utility station or a shipyard mobile station) is to be used and operated, on and after the effective date of the station license, at a single location for six months or more, the station location is construed to be permanent and the particular location shall be specifically designated in the station authorization.

(c) When a station (other than a marine-utility station or a shipyard mobile station) which is authorized to be used and operated at a temporary location or locations remains at any single location for more than six consecutive months, an application for modification of the station license to specify such station location as permanent shall be filed not more than thirty days after the expiration of the six month period involved.

(d) When a station (other than a marine-utility station or a shipyard mobile station) which is authorized to be used and operated at more than one temporary location, is moved from one radio inspection district to another for use and operation in the latter district, the station licensee shall so notify the Commission's Engineers in Charge of the respective districts. Such notification shall, if practicable, be given prior to such change in location but in any event not later than forty-eight hours thereafter.

(e) Prior authorization from the Commission is required before a station may be used and operated at any station location not authorized by either the station authorization or applicable rules and regulations of the Commission.

#### § 81.71 Authorized control point.

(a) Unless otherwise permitted in exceptional cases, each station shall be associated with one or more specific control points which shall, except as provided in subparagraph (1) of this paragraph, be designated in the station license as stated in subparagraph (2) of this paragraph:

(1) When no control point location is designated in a station license, the control point shall be:

(i) Not more than 500 feet from the location of the authorized radio transmitting apparatus, for stations other than shipyard mobile stations.

(ii) On the shipyard land mobile unit in which the station is installed, in the case of shipyard mobile stations.

(2) When the control point is at a location more than 500 feet from that of the authorized radio transmitting apparatus, the control point location shall be designated as follows:

(i) In urban areas, the street address shall be specified.

(ii) In rural areas, the approximate location shall be specified in distance and direction from the transmitter in terms of feet and geographical quadrant, respectively; or in distance and direction from the center of a nearby established community in terms of statute miles and geographical quadrant, respectively.

(b) Prior authorization from the Commission is required before a change may be made in the location of an authorized control point or before any control point not authorized by the station license, or by applicable rules and regulations, may be utilized in respect to the particular station.

(c) Except for use with a shipyard mobile station, a dispatch point or points may be installed and used without obtaining any instrument of authorization from the Commission: *Provided*, That with respect to public and limited coast stations using telegraphy, information relative to the location of each permanently established dispatch point is submitted by the station licensee to the Commission for record purposes at the earliest practicable date after such dispatch point is permanently established.

#### § 81.72 Assignment of call signs.

(a) Stations subject to this part shall be assigned call signs in accordance with applicable provisions of the International Radio Regulations and the Communications Act as set forth in the following paragraphs of this section.

(b) Class I and class II coast stations (public or limited) shall be assigned individual call signs each consisting of three letters, taken from either the group KAA through KZZ or the group WAA through WZZ.

(c) Class III coast stations (public or limited) shall be assigned individual call signs each consisting of three letters followed by three digits, taken from either the group KAA through KZZ or the group WAA through WZZ.

(d) Each station license issued to authorize the use and operation of one or more marine-utility stations or shipyard mobile stations shall designate for those stations a single call sign consisting of two letters followed by four digits, taken from the group KA through KZ.

(e) Stations on land in the maritime radiodetermination service shall be assigned individual call signs each consisting of three letters followed by three digits, taken from either the group KAA through KZZ or the group WAA through WZZ.

(f) Marine fixed stations and marine relay stations shall be assigned individual call signs each consisting of three letters followed by two digits, taken from either the group KAA through KZZ or the group WAA through WZZ.

(g) Marine control stations and marine repeater stations shall be assigned individual call signs each consisting of three letters followed by two digits, taken from either the group KAA through KZZ or the group WAA through WZZ.

(h) Marine receiver-test stations shall be assigned individual call signs each consisting of three letters followed by three digits, taken from either the group KAA through KZZ or the group WAA through WZZ.

(i) Developmental stations shall be assigned call signs of the category assignable under the provisions of this section to the class of station associated with the respective developmental station.

(j) In accordance with the preceding paragraphs of this section, call signs shall be assigned on a strict sequence basis, without advance reservation of particular call signs for specific stations or specific purposes.

#### § 81.73 Operation during emergency.

(a) The licensee of any station subject to this part may, during a period of emergency in which the normal communication facilities are disrupted as a result of hurricane, flood, earthquake, or similar disaster, utilize such station for emergency communication service in communicating in a manner other than that specified in the instrument of authorization or in the rules and regulations governing the operation of such stations: *Provided*, (1) That as

soon as possible after the beginning of such emergency use, notice shall be sent to the Commission at Washington, D.C., 20554, and to the Engineer in Charge of the radio district in which the station is located, stating the nature of the emergency and the emergency use being made of the station; (2) that such emergency use of the station shall be discontinued as soon as substantially normal communication facilities are again available; and (3) the Commission and the Engineers in Charge be notified immediately when such special use of the station is terminated: *And provided further*, That in no event shall any station engage in emergency transmission on frequencies other than, or with power in excess of, that specified in the instrument of authorization or as otherwise expressly provided by the Commission, or by law: *And provided further*, That the Commission may, at any time, order the discontinuance of any such emergency communication undertaken under this section.

(b) The Commission may authorize the licensee of any radio station, during a period of national emergency, to operate its facilities upon such frequencies, with such power and points of communication, and in such a manner beyond that specified in the station license as may be requested by the Army, Navy or Air Force.

**§ 81.74 Notice of involuntary discontinuance, reduction, or impairment of service.**

(a) If, for any reason beyond the control of the station licensee, the service provided by a public coast station is discontinued, reduced or impaired for a period exceeding 24 hours, the station licensee shall immediately notify the Commission at Washington, D.C., 20554, and the Commission's Engineer in Charge of the radio district in which the station is located. In such cases, the licensee shall furnish full particulars as to the reasons for such discontinuance, reduction or impairment of service including a statement as to when normal service is expected to be resumed. In the event such changes in station operation include discontinuance, reduction or suspension of a watch normally kept on 500 kc/s or 2182 kc/s, immediate notification thereof shall be given by the station licensee to the nearest district office of the U.S. Coast Guard and to the Commission's Engineer in Charge of the radio district in which the station is located together with notification of the estimated or known time of resumption of such watch. When normal service is resumed, immediate notification thereof shall be given to the Commission at Washington, D.C., 20554, and to the Commission's Engineer in Charge of the radio district in which the station is located. When the watch to which reference is made herein is resumed, immediate notification thereof shall be given to the Coast Guard and to the Commission's Engineer in Charge.

(b) Notification need not be given with respect to involuntary suspension or substantial reduction of the normal service of a limited coast station (provided a

watch normally kept by such station on 500 kc/s or 2182 kc/s is not reduced or suspended thereby) or any other station subject to this part, except public coast stations as provided in paragraph (a) of this section, during any period of involuntary reduction or suspension not exceeding 10 days. Whenever the period of such involuntary suspension or reduction exceeds 10 days, notification thereof shall be given, except for marine-utility stations and shipyard mobile stations, to the Commission's Engineer in Charge of the radio district in which the station is located, together with notification of the known or estimated time of resumption of normal operation. In the event any reduction or suspension of the service of a limited coast station causes a reduction or suspension of a watch normally kept on 500 kc/s or 2182 kc/s, immediate notification thereof shall be given by the station licensee to the nearest district office of the U.S. Coast Guard and to the Commission's Engineer in Charge of the radio district in which the station is located, together with notification of the estimated or known time of resumption of such watch.

NOTE: For rules covering the filing of applications for authority under sec. 214 of the Communications Act, see Part 63 of this chapter.

**§ 81.75 Notice of involuntary discontinuance, reduction, or impairment of service.**

When the service of any station subject to this part (other than a marine-utility station or a shipyard mobile station) is discontinued, reduced or impaired for any reason within the control of the station licensee, immediate notification thereof shall be given to the Commission's Engineer in Charge of the radio district in which the station is located, together with, in the case of suspension, a statement of the estimated or known time of resumption of normal service. In the case of a public coast station, such notification shall be given as soon as practicable. In respect to any other class of station (except a marine-utility station or a shipyard mobile station) subject to this part, such notification need be made only when the discontinuance, reduction, or impairment of service continues for a period of more than 10 days. In the event any voluntary suspension, reduction, or discontinuance of operation includes discontinuance, reduction, or suspension of a watch normally kept by any coast station on 500 kc/s or 2182 kc/s, immediate notification thereof shall be given by the station licensee to the nearest district office of the U.S. Coast Guard and to the Commission's Engineer in Charge of the radio district in which the station is located, together with notification of the estimated or known time of resumption of any such watch that has been suspended.

**§ 81.76 Cancellation of license.**

In all cases of permanent discontinuance of operation of stations subject to this part, the licensee shall immediately forward the station license to the Washington, D.C., office of the Commission for cancellation:

*Provided*, That this requirement shall apply to the permanent discontinuance of operation of marine-utility stations or shipyard mobile stations, only when the operation of all stations of either class authorized by one station license is permanently discontinued.

NOTE: See § 81.57 of this chapter for procedure in canceling applicable tariffs.

## SUBPART D—GENERAL STATION REQUIREMENTS

### § 81.101 Inspection of stations.

Pursuant to section 303(n) of the Communications Act, all stations subject to this part and all station records required by this part shall be available for inspection by authorized representatives of the Commission at such times and intervals which, within the discretion of the Commission, are considered reasonable and necessary to assure compliance with applicable rules, regulations, laws, treaties and international agreements.

### § 81.102 Posting station licenses and transmitter identification cards or plates.

(a) The current authorization for each station (other than a marine-utility station) at a permanent location, or at a single temporary location, shall be posted in a conspicuous place at the principal control point of the station, and a photocopy of such authorization shall be posted at all other control points listed on the authorization. In addition, an executed Transmitter Identification Card (FCC Form 452-C) or a plate of metal or other durable substance, legibly indicating the call sign and the licensee's name and address, shall be affixed, readily visible for inspection, to each transmitter of such stations when it is not in view of, or is not readily accessible to, the operator at the principal control point.

(b) The current station authorization for a single marine-utility station and for each single station of any other class subject to this part, which is of portable nature and is authorized for use and operation at two or more temporary locations, shall be posted either at the control point of the station in a conspicuous place or shall be affixed, readily visible for inspection, to the transmitting apparatus or, if the transmitting apparatus is contained in a cabinet or other structure, affixed, readily visible for inspection, to such cabinet or structure.

(c) A current license authorizing a plurality of marine-utility stations, pursuant to § 81.68 shall be retained by the licensee at any location where it is readily accessible for inspection. In addition, an executed Transmitter Identification Card (FCC Form 452-C) or a plate of metal or other durable substance, legibly indicating the call sign and the licensee's name and address, shall be affixed, readily visible for inspection, to each transmitter of such stations: *Provided*, That, if the transmitter is not in view of the

operating position, or is not readily accessible for inspection, then such card or plate shall be affixed to the control equipment at the transmitter operating position or posted adjacent thereto.

(d) A current land station license authorizing one or more shipyard mobile stations, pursuant to § 81.22(e), shall be posted in a conspicuous place at the principal control point of the land station; and a photocopy of such license shall be posted at all other control points listed on the license. In addition, a photocopy of such license, an executed Transmitter Identification Card (FCC Form 452-C), or a plate of metal or other durable substance shall be available on each shipyard land mobile unit in which a shipyard mobile station is installed, as follows:

(1) A photocopy of the land station license shall be posted in a conspicuous place in the mobile unit or shall be affixed, readily visible for inspection, to the transmitting apparatus or, if the transmitting apparatus is contained in a cabinet or other structure of the mobile unit, affixed, readily visible for inspection, to such cabinet or structure; or

(2) A Transmitter Identification Card (FCC Form 452-C) or a plate of metal or other durable substance, legibly indicating the call sign and the licensee's name and address, shall be affixed, readily visible for inspection, to the transmitter: *Provided*, That, if the transmitter is not in view of the operating position, or is not readily accessible for inspection, then such card or plate shall be affixed to the control equipment at the transmitter operating position or posted adjacent thereto.

### § 81.103 Requirements concerning station location.

(a) Unless otherwise required by exceptional conditions, the radio transmitting and receiving apparatus of each class I public coast station, when a specific location for the station is initially authorized by the Commission, subsequent to January 1, 1952, shall, when such apparatus is to be used and operated on any frequency assignment below 5000 kc/s, be located as close as practicable to the open sea.

(b) Unless otherwise required by exceptional conditions, the radio transmitting and receiving apparatus of each class II public coast station, when a specific location for the station is initially authorized by the Commission subsequent to January 1, 1952, shall be installed at a location which, according to generally established engineering principles and standards, should not result in abnormally high attenuation of emission, insofar as such attenuation is caused by land intervening between that location and the majority of ship stations with which communication is to be effected.

(c) Unless otherwise required by exceptional conditions, the radio transmitting and receiving apparatus of each class III public coast station, the construction of which is authorized by the Commission subsequent to July 1, 1952, shall be centrally located, insofar as practicable, in relation to the center of the geographic

water area to which ship-to-shore communication is to be provided by the particular coast station, as specified in the related application for construction permit.

(d) Applicants for permits to establish coast stations for transmission within the band 156 to 174 Mc/s shall cooperate in the selection of sites for radio transmitting facilities so as to minimize interference (such, for example, as may be caused by intermodulation) to the service of other coast stations, base stations of any land mobile service, and United States Government stations.

#### § 81.104 Facilities required for coast stations.

(a) As a minimum, public coast stations using telegraphy shall be provided with the facilities designated in this section:

(1) Stations having a frequency assignment within the band 405 to 535 kc/s shall:

(i) Be equipped to transmit efficiently with classes A1 and A2 emission on the general maritime calling frequency (500 kc/s assigned frequency) and on at least one additional radio-channel authorized for working within the band 405 to 535 kc/s;

(ii) Be equipped to receive efficiently classes A1 and A2 emission on all radio-channels authorized for the maritime mobile service of telegraphy within the frequency-band 405 to 535 kc/s.

(2) Stations having a frequency assignment below 150 kc/s shall:

(i) Be equipped to transmit efficiently with class A1 emission on at least one radio-channel authorized for working within the band 100 to 150 kc/s;

(ii) Be equipped to receive efficiently class A1 emission on all radio-channels authorized for transmission by mobile stations operating in the maritime mobile service for telegraphy within the band 100 to 150 kc/s.

(3) Stations having a frequency assignment above 4000 kc/s shall:

(i) Be equipped to receive efficiently on each assigned frequency, and on each assigned frequency for ship stations using radiotelegraphy as designated in Part 83 of this chapter when such ship station frequency is in the same characteristic portion of the spectrum as is the coast station assigned frequency.

(b) As a minimum, public coast stations using telephony shall be provided with the facilities designated in this section:

(1) Each coast station licensed to transmit within the band 1605 to 3500 kc/s shall be capable of transmitting (and licensed to transmit) A3 or A3H emission on the carrier frequency 2182 kc/s with a carrier power not less than the maximum carrier power which it is capable of using on any other carrier frequency in this band for the same emission, except that, in any event, the required carrier power on 2182 kc/s need not be more than 100 watts for A3 emission and 50 watts for A3H emission. In addition, the coast station must be capable of receiving A3 emission on the carrier frequency 2182 kc/s.

(i) Apparatus to comply with the foregoing requirement of this subparagraph shall include transmitting and/or receiving equipment installed at each location where transmitting and/or receiving equipment, respectively, is installed and regularly used by the particular station to provide service on one or more working frequencies within the band 1600 kc/s to 3500 kc/s.

(ii) Compliance with the requirement of subdivision (i) of this subparagraph shall be a condition precedent to obtaining a new or renewed station license unless the applicant therefor makes a showing satisfactory to the Commission that, for purposes of maritime safety, all or any portion of such apparatus for operation on the 2182 kc/s channel is not necessary for effective transmission and reception to and from mobile stations within the associated working frequency service area of the coast station.

(2) Each coast station licensed to operate in the band 156 to 174 Mc/s shall be able to transmit and receive 156.8 Mc/s.

(c) All coast stations shall comply with the following requirements:

(1) Each coast station licensed to transmit on the carrier frequency 2182 kc/s shall be capable of efficiently receiving A3 emission on that frequency and shall be capable also of transmitting (and shall be licensed to transmit) A3 or A3H emission and receiving A3 emission on at least one other frequency for working with ship stations in the band 2000 to 3500 kc/s.

(2) Each coast station licensed to operate on 156.8 Mc/s shall also be able to transmit and receive on at least one other frequency authorized for working with ship stations in the band 156 to 174 Mc/s.

(3) Marine utility stations used on shore shall comply with the requirement of subparagraph (2) of this paragraph.

(4) Each coast station which is licensed to operate on 156.6, 156.7, or 161.6 Mc/s shall also be able to transmit and receive on 156.8 Mc/s.

#### § 81.105 Special provisions relative to VHF facilities.

(a) Coast stations at locations separated by less than 150 statute miles, which transmit on a radio-channel above 100 Mc/s, shall minimize any interference between the particular stations using the same radio-channel above 100 Mc/s by a mutually agreeable time-sharing arrangement, subject to direction by the Commission if agreement cannot be attained by the involved station licensees. In addition, where practicable, such licensees shall use directive antennas to minimize interference between the particular stations.

(b) Coast stations at locations separated 150 statute miles or more, which transmit on a radio-channel above 100 Mc/s, shall minimize interference between the particular stations using the same radio-channel above 100 Mc/s in so far as is practicable by adjustment of radiated power (provided the authorized transmitter power is not exceeded), by adjustment of antenna height (within the physical limitations approved by

the Commission with respect to air navigation), or by employing appropriate antenna directivity. Appropriate remedial action in this respect may be specifically required of particular station licensees when, in the discretion of the Commission, such requirement must be imposed by a specific directive.

(c) Coast stations which transmit on a radio-channel above 100 Mc/s and are located within interference range on such channel of any station within a foreign country bordering on the United States, shall take such measures of the nature prescribed in paragraphs (a) and (b) of this section as may be practicable and appropriate to minimize interference to the involved foreign station(s), and shall keep the Commission fully informed of all pertinent developments.

(d) Each coast station subject to the provisions of any preceding paragraph of this section, which is authorized to operate on a secondary basis as a shipyard base station, shall, while so operating, comply with such provisions.

#### § 81.106 Operating controls.

(a) The transmitting apparatus of stations subject to this part shall be installed and protected so as to be not accessible to other than duly authorized persons.

(b) Such operating controls as necessarily are used for commencing and discontinuing normal operation of each coast station, such operating controls as necessarily are used for normally changing from each operating radio-channel to any other associated operating radio-channel in the same characteristic portion of the spectrum, and such operating controls as necessarily are used for normally changing from transmission to reception, and vice versa, shall be available at the principal operating location of the station and shall be readily accessible to the authorized operator. This requirement, however, need not be met by equipment intended for use only in emergencies and not used for normal communications.

(c) Every coast station using telegraphy shall, when an authorized operator is present at the principal operating location, be capable of change-over from telegraph transmission to telegraph reception and vice versa within a total period of two seconds under circumstances which do not require a change in operating radio-channel at the same time.

(d) Every coast station using telephony shall, when an authorized operator is present at the principal operating location, be capable of change-over from telephone transmission to telephone reception and vice versa within a total period of two seconds under circumstances which do not require a change in operating radio-channel at the same time.

(e) Every coast station shall, during its hours of service and when the authorized operator is present at the principal operating location, be capable of:

(1) Commencing operation within one minute after the need to do so occurs;

(2) Discontinuing all emission within five seconds after emission is no longer required or after the necessity arises for emission to cease.

(f) Every coast station using a multichannel installation for telegraphy shall, when the authorized operator is present at the principal operating location, be capable of changing, after the need to do so occurs, from each operating radio-channel for telegraphy to any other operating radio-channel for telegraphy within the same characteristic portion of the spectrum below 515 kc/s within a period of five seconds: *Provided, however,* That this requirement need not be met by equipment intended for use only in emergencies and not used for normal communication.

(g) Every coast station using a multichannel installation for telephony shall, when the authorized operator is present at the principal operating location, be capable of changing, after the need to do so occurs, from one operating radio-channel for telephony to another operating radio-channel for telephony within:

(1) A period of five seconds, when changing from the calling channel to a working channel and vice versa within the frequency band 1600 kc/s to 4000 kc/s; or

(2) A period of three seconds, when changing from the calling frequency to a working frequency and vice versa within the band 156 to 174 Mc/s.

(h) (1) Each coast station authorized to operate on a secondary basis as a shipyard base station, shall, while so operating, comply with the provisions of this section which apply to coast stations using telephony.

(2) Each shipyard mobile station shall comply with the provisions of this section which apply to coast stations using telephony.

#### § 81.107 Antenna requirements.

(a) The antenna(s) of each public coast station shall, in so far as is practicable in each case, have electrical characteristics that will, in conjunction with the particular transmitting apparatus employed, assure good efficiency in the conversion of antenna power to radiated power.

(b) All emission of a coast station (public or limited) or a marine-utility station operated on shore, using telephony on any frequency assignment within the frequency band 30 Mc/s to 200 Mc/s normally shall be polarized vertically at the source: *Provided,* The Commission may authorize the use of any other form of polarization in addition to or in lieu of vertical polarization if the applicant or station licensee makes a satisfactory showing that such authorization is necessary for effective communication or reduction of interference and would be beneficial to reception of the emission by mobile stations.

#### § 81.108 Adjustment of equipment.

The transmitting equipment of each station subject to this part shall be operated, tuned, and adjusted so that there will be no radiation of emissions outside the authorized frequency-band that causes harmful inter-

ference or is capable of causing harmful interference to the service of any other station. Any spurious emissions, including radio frequency harmonics and audio frequency harmonics, shall be maintained at the lowest practicable level.

#### § 81.109 Transmitter measurements.

(a) The carrier frequencies of each transmitter shall be determined to be within the prescribed tolerance at the following times:

- (1) When the transmitter is initially installed;
- (2) When any change is made in the transmitter which may affect the carrier frequencies or stability thereof;
- (3) Upon receipt of an official notice of off-frequency operation.

(b) A determination shall be made that each radiotelephone transmitter using A3 or F3 emission produces peak modulation between 75 and 100 percent, insofar as practicable, as follows:

- (1) When the transmitter is initially installed;
- (2) When any change is made in the transmitter which may affect its modulation characteristics.

(c) The results of determinations of paragraphs (a) and (b) of this section shall be entered in or made a part of the station log.

#### § 81.110 Maintenance of transmitter power.

(a) The actual power of each radio transmitter of a coast station, to include any coast station authorized to operate on a secondary basis as a shipyard base station, fixed station, or shipyard mobile station subject to this part, shall, insofar as is practicable, not be more than that necessary to carry on the service for which the station is licensed and in no event more than 20 percent above the power specified in the license.

(b) Each radio transmitter (other than single sideband and independent sideband) rated by the manufacturer as being capable of a plate input power in excess of 200 watts or an antenna power in excess of 100 watts shall be fitted with the instruments necessary to determine the actual plate power to the transmitter whenever the latter is in use.

#### § 81.111 Modulation requirements.

(a) Transmitters using A3 emission shall be capable of proper technical operation with modulation of 75 percent on peaks but not more than 100 percent on negative peaks. Each such transmitter shall be so adjusted that the transmission of speech and the inter-

national radiotelephone alarm signal, if provision is made for transmission of the signal, normally produce peak modulation percentages within those limits.

(b) Transmitters using F3 emission shall be capable of proper technical operation with a frequency deviation of 15 kc/s, which is defined as 100 percent modulation, and, in general, shall be adjusted so that the transmission of speech normally produces, on this basis, peak modulation percentages between 75 and 100 percent.

(c) Single sideband and independent sideband transmitters shall be capable of single sideband operation in the following modes:

(1) With the carrier emitted at a power level at least 40 decibels below peak envelope power; and

(2) For transmitters operating on frequencies below 4 Mc/s, with the carrier emitted at a power level between 3 and 6 decibels below peak envelope power.

(d) In single sideband operation, the sideband on the higher frequency side of the carrier frequency shall be transmitted.

(e) Except as provided in paragraph (f) of this section, each radiotelephone transmitter licensed by the Commission for use of F3 or A3 emission in a coast, marine fixed, operational fixed or marine utility station on shore shall be provided with a device which automatically prevents modulation in excess of 100 percent.

(f) A modulation limiter as prescribed in paragraph (e) of this section is not required in the following stations or transmitters:

(1) Stations authorized for developmental operation;

(2) Transmitters of plate input power of 3 watts or less when used in marine utility stations or other stations of a portable nature;

(3) Transmitters using frequencies in the band 73.0-74.6 Mc/s in operational fixed stations authorized on December 1, 1961, which were first authorized or installed prior to July 1, 1950.

(g) Single sideband and independent sideband transmitters shall automatically limit the peak envelope power to the authorized transmitter power.

(h) Each transmitter operated in the bands 72.0-73.0 and 75.4-76.0 Mc/s shall be equipped with an audio low pass filter. The audio low pass filter shall be installed between the modulation limiter and the modulated stage, and, at audio frequencies between 3 kc/s and 15 kc/s, shall have an attenuation greater than the attenuation at 1 kc/s by at least  $40 \log_{10} (f/3)$  decibels where "f" is the audio frequency in kilocycles. At

audio frequencies above 15 kc/s, the attenuation shall be at least 28 decibels greater than the attenuation at 1 kc/s.

【§ 81.111 (e) and (f) deleted and new (e), (f), (g) and (h) adopted eff. 6-5-67; IV(64)-9】

**§ 81.112 General requirements for receiving apparatus.**

The radio equipment of each coast station, shipyard mobile station, and marine-utility station must be capable of permitting the reception of the class or classes of emission on the frequency or frequencies normally received for the service carried on, including any land mobile service for which the facilities of a coast station may be authorized. The technical arrangement of the station apparatus shall be such that the necessary reception of emissions can be readily effected prior to the transmission of any signals or communications by the coast, shipyard mobile, or marine-utility station on the associated transmitting frequency.

**§ 81.113 Facilities for busy signal in telephony.**

(a) A "busy" signal, when used by a coast station in accordance with the provisions of § 81.312(d), may consist of the transmission of a single audio frequency regularly interrupted, as follows:

(1) Audio frequency: Not less than 100 or more than 1100 cycles per second, provided the frequency used for this purpose shall not cause auto alarms or selective-ringing devices to be operated.

(2) Rate of interruption: 60 times per minute.

(3) Duration of each interruption: 0.5 second.

(4) Tolerance for each of the factors 2 and 3: 10 percent.

(b) As an alternative to the technical factors set forth in paragraph (a) of this section, other appropriate technical factors may be authorized by the Commission for the purpose of a "busy" signal pursuant to § 81.312(d).

**§ 81.114 Required coast station clock.**

(a) A reliable clock with a second hand shall be installed at the radio operating control point of each coast station licensed for telegraphy on frequencies below 515 kc/s. This clock shall be mounted in a position that will allow the divisions between minutes to be easily and accurately read by the operator from his normal operating position. In each coast station licensed to transmit on 500 kc/s, the required clock shall be provided with a sweep second hand and shall

be mounted in a position that will allow the second dial to be easily and accurately read by the operator from his normal operating position.

(b) On each day the coast station is operated, the time indicated by this clock shall be compared with standard time and, if a deviation is observed, the clock shall be adjusted to accurately coincide with standard time: *Provided*, That this requirement shall not preclude adjustment of this clock to Greenwich mean time pursuant to the International Radio Regulations.

**§ 81.115 Retention and availability of radio station logs.**

(a) All station logs which are required under those provisions of this part pertaining to the particular classes of stations subject to this part shall be retained by the licensee for a period of one year from date of entry and for such additional periods as required by the following subparagraphs:

(1) Station logs involving communications incident to a distress or disaster shall be retained by the station licensee for a period of 3 years from date of entry;

(2) Station logs which include entries of communications incident to or involved in an investigation by the Commission and concerning which the station licensee has been notified shall be retained by the station licensee until such licensee is specifically authorized in writing by the Commission to destroy them;

(3) Station logs incident to or involved in any claim or complaint of which the station licensee has notice shall be retained by such licensee until such claim or complaint has been fully satisfied or until the same has been barred by statute limiting the time for the filing of suits upon such claims.

(b) Station logs shall be made available to an authorized representative of the Commission upon request.

**NOTE:** See Part 42 of this chapter concerning preservation of records of common carriers.

**§ 81.116 Requirements as to control points.**

At each control point of each coast, fixed, or shipyard mobile station subject to this part, the following facilities shall be provided:

(a) A means which will provide visual indication whenever the transmitting apparatus is supplying

radio-frequency power to the antenna; or, in lieu thereof, a pilot lamp or meter or equivalent device which will provide continuous visual indication whenever the transmitter control circuits have been placed in a condition to actuate the radio transmitting apparatus: *Provided, however, That the provisions of this paragraph shall not apply to marine-utility stations;*

(b) Equipment to permit the responsible operator to aurally monitor all transmissions originating at dispatch points under such operator's supervision, if dispatch points are utilized;

(c) Facilities which will readily permit the responsible operator either to disconnect the dispatch point circuits from the radio transmitting apparatus or to render such apparatus inoperative from any dispatch point under the supervision of such operator; and

(d) Facilities which will permit the responsible operator to energize and de-energize the radio transmitting equipment at will. For this purpose the term "de-energize" means to suppress completely all emission from the transmitting antenna. The use of a telegraphic key or keying device as a means of compliance with this provision is acceptable when it is readily possible for the responsible operator to de-energize the station by means of such key or keying device.

#### § 81.118 Changes of name or address.

When the name of a licensee is changed (without changes in the ownership, control, or corporate structure), or when the mailing address is changed (without changing the location of the coast, or fixed station) a formal application for modification of license is not required. However, the licensee shall notify the Commission promptly of these changes. The notice, which may be in letter form, shall contain the name and address of the licensee as they appear in the Commission's records, the new name and/or address, as the case may be, the call signs and classes of all radio stations authorized to the licensee under this part. The notice shall be sent to (a) Secretary, Federal Communications Commission, Washington, D.C., 20554, and (b) the Engineer in Charge of the Radio District in which the station is located, and a copy shall be posted with the license until a new license is issued.

§ 81.118 adopted eff. 5-20-66; IV(64)-6

## SUBPART E—STANDARD TECHNICAL REQUIREMENTS

### § 81.131 Authorized frequency tolerance.

(a) Unless the particular instrument of authorization specifically provides otherwise, the frequency tolerances authorized for stations on land in the maritime services subject to this part shall be as prescribed in the following paragraphs of this section.

(b) Authorized frequency tolerances for coast stations operating on frequencies below 515 kc/s or within the band 1600 to 27,500 kc/s:

Frequency ranges	Tolerance— Parts in 10 <sup>6</sup> unless shown as cycles per second (c/s)
(1) From 14 to 515 kc/s	200
(2) From 1605 to 4000 kc/s:	
For other than A3A, A3H, and A3J emissions	50
For A3A, A3H, and A3J emissions	20 c/s
(3) From 4000 to 27,500 kc/s:	
For other than A3A, A3B, A3H, and A3J emissions	15
For A3A, A3B, A3H, and A3J emissions	20 c/s

(c) Authorized frequency tolerances for coast stations operating on frequencies above 30 Mc/s and for marine utility stations:

Frequency ranges	Tolerance— Parts in 10 <sup>6</sup>
(1) From 30 to 50 Mc/s:	
For stations licensed to operate with a plate input power not in excess of 3 watts	200
For all other stations	100
(2) From 100 to 200 Mc/s: <sup>1</sup>	
Until Jan. 1, 1964	50
On and after Jan. 1, 1964	20

<sup>1</sup> Transmitters with a plate power input not in excess of 3 watts are permitted a tolerance of 100 parts in 10<sup>6</sup> until Jan. 1, 1966. After that date a tolerance of 20 parts in 10<sup>6</sup> is applicable.

(d) Authorized frequency tolerances for stations in the maritime fixed services:

Frequency or fre- quency ranges	Tolerance—parts in 10 <sup>6</sup> unless shown as cycles per second (c/s)
(1) From 2000 to 2850 kc/s: Marine fixed sta- tions and marine receiver-test stations:	
For other than A3A, A3H, and A3J emis- sions	50
For A3A, A3H, and A3J emissions	20 c/s
(2) (i) 72.0-73.0 Mc/s and 75.4-76.0 Mc/s	5
(ii) 73.0-74.6 Mc/s	50
(3) 100-200 Mc/s: Marine receiver-test stations	20

(e) The frequency tolerance authorized for stations on land operating in the maritime radiodetermination service shall be:

(1) When using radar transmitter(s) only, within a frequency band above 2400 Mc/s, the frequency tolerance is prescribed as follows: the frequency at which maximum emission occurs shall be within the authorized frequency band and shall not be closer than 1.5/T megacycles per second to the upper and lower limits of the authorized frequency band, where "T" is the pulse duration in microseconds:

(2) For other stations on land operating in the maritime radiolocation service the authorized frequency tolerance shall be specified in the instrument of authorization issued in behalf of each station.

【§ 81.131(d) amended eff. 6-5-67; IV(64)-9】

#### § 81.132 Authorized classes of emission.

(a) Unless otherwise specified in the station license or in this part, stations are authorized to employ classes of emission as follows:

Frequency band	Classes of emission
(1) Coast stations using teletypewriter:	
14 to 160 kc/s.....	A1.
160 to 490 kc/s.....	A1; A2 for distress, urgency and safety signals or any communication preceded by one of these signals.
490 to 515 kc/s.....	A1 and A2.
2035 to 27,500 kc/s.....	A1.
(2) Coast stations using teletypewriter:	
For frequencies designated in § 81.304	
(a) (1).	
2182 and 2638 kc/s.....	A3 and A3H.
All other frequencies.....	A3, A3A, A3H, and A3J.
For frequencies designated in § 81.304	A3 until Jan. 1, 1974; A3A, A3B, A3H, and A3J.
(a) (2).	
For frequencies designated in § 81.304	A3A, A3H, and A3J.
(a) (3).	
For frequencies designated in § 81.361	A3J.
(a).	
156 to 174 Mc/s.....	F3.
(3) Marine fixed and marine receiver-test stations:	
2000 to 2850 kc/s except for 2182 kc/s.....	A3, A3A, A3H, and A3J.
2182 kc/s.....	A3 and A3H.
(4) Operational fixed stations:	
72 to 76 Mc/s.....	A1, A2, A3, F1, F2, and F3.
(5) Stations using radar transmitters only:	
Above 2400 Mc/s.....	P0.

(b) Authorization to use radiotelephone emission is construed to include use of telegraphy (including keying only the modulating audio frequency), tone signals, and signalling devices for the sole purpose of establishing or maintaining voice communications.

(c) In telegraphic communication A2 emission is permissible only by keying a carrier modulated by an audio frequency.

(d) Authorization to use A3H or A3J emission is limited to emitting a carrier at a power level between 3 and 6 decibels below peak envelope power for the former emission and at a power level at least 40 decibels below peak envelope power for the latter emission.

(e) Emissions other than those listed in paragraph (a) of this section, and emissions for other frequency bands, may be authorized upon a satisfactory showing of need therefor. An application requesting such special authorization shall fully describe the emission desired and state the purpose for which the emission is proposed.

(f) For the purpose of this part, A3 emission means double sideband full carrier, single sideband means A3A, A3H, and A3J emissions, and independent sideband means A3B emission.

NOTE: For information regarding the classification of emissions and the calculation of the bandwidth, see Part 2 of this chapter.

【§ 81.132(a)(4) amended eff. 6-5-67; IV(64)-9】

#### § 81.133 Authorized bandwidth and frequency deviation.

(a) Unless otherwise specified in the station license, stations shall use bandwidths not exceeding those set forth in this paragraph for the respective classes of emission authorized in § 81.132.

Class of emission	Emission designator	Authorized bandwidth (kc/s)
A1.....	0.18A1.....	0.224
A2.....	2.66A2.....	2.724
A3.....	6A3.....	8.0
A3A.....	2.8A3A.....	3.5
A3B.....	5.6A3B.....	7.0
A3H.....	2.8A3H.....	3.5
A3J.....	2.8A3J.....	3.5
F3.....	16F3 <sup>1</sup> .....	<sup>1</sup> 20.0
F3.....	36F3 <sup>2</sup> .....	<sup>2</sup> 40.0
P0.....	(3).....	(3)

<sup>1</sup> Applicable when maximum authorized frequency deviation is 5 kc/s. See paragraph (c) of this section.

<sup>2</sup> Applicable when maximum authorized frequency deviation is 15 kc/s. See paragraph (c) of this section.

<sup>3</sup> Variable.

(b) Bandwidths in excess of those listed in paragraph (a) of this section, or bandwidths for other classes of emissions, may be authorized upon a satisfactory showing of need therefor. An application requesting such special authorization shall fully describe the emission desired and the required bandwidth, and shall state the purpose for which such emission and bandwidth is proposed.

(c) For F3 emission the maximum authorized frequency deviation is as follows:

(1) 5 kc/s within the bands 72.0-73.0 and 75.4-76.0 Mc/s; and

(2) 15 kc/s for stations which were authorized for operation on December 1, 1961, in the frequency band 73.0-74.6 Mc/s; and

(3) 15 kc/s for stations operating in the frequency band 156-174 Mc/s.

【§ 81.133 headnote and text amended eff. 6-5-67; IV(64)-9】

#### § 81.134 Transmitter power.

(a) Transmitter power is the power of a particular transmitter as designated in the respective station license or construction permit. Unless specifically expressed otherwise, this power is peak envelope power (see § 81.8) for A3A, A3B, A3H, and A3J emissions, and total plate input power to the final radio stage of the transmitter (without modulation present in the case of A3 emission) for other emissions.

(b) Transmitter power for coast stations using telegraphy on frequencies below 27.5 Mc/s shall not exceed the following values in kilowatts:

Frequency band (kc/s)	Transmitter power
14 to 150	80
150 to 515	40
2035 to 2065	6.6
4000 to 7000	10
8000 to 9000	20
12,000 to 27,500	30

(c) Transmitter power for coast stations using telephony on frequencies below 27.5 Mc/s shall not exceed the values set forth in this paragraph. In the case of A3 emission the values are for the use of a Class C plate or plate and screen-grid modulated final radio stage in the transmitter. Equivalent values for A3 emission for other classes of final amplifiers will be as specified in the station authorization.

(1) For carrier frequencies other than 2638 kc/s and those frequencies specified in § 81.361(a) :

Frequency band (kc/s)	Class of station	Class of emission	Transmitter power
2000 to 4000 <sup>1</sup>	Any	A3	1500 watts by day 700 watts by night
4000 to 18,000	do	A3A, A3H, A3J	1000 watts
18,000 to 27,500	Class I	A3	70 kilowatts
4000 to 27,500	do	do	27 kilowatts
	Class II	A3A, A3B, A3H, A3J	50 kilowatts
	do	do	1000 watts
		A3	1500 watts

<sup>1</sup> When using 2182 kc/s for purposes other than distress calls and distress traffic, and urgency and safety signals and messages, the carrier power of limited coast stations shall not exceed 100 watts for A3 emission and 50 watts for A3H emission.

(2) For coast stations on the carrier frequency 2638 kc/s: 100 watts.

(3) For limited coast stations on the carrier frequencies specified in § 81.361(a) : 1000 watts.

(d) Transmitter power for coast and marine utility stations using F3 emission on any frequency within the following frequency bands shall not exceed the indicated values in watts:

Frequency band (Mc/s)	Public coast stations	Limited coast stations	Marine utility stations
156.325 to 156.625		100	10
156.625 to 156.675		( <sup>1</sup> )	10
156.675 to 161.625	250	100	10
161.775 to 162.025	1000		

<sup>1</sup> 15 watts in areas other than the Great Lakes; 100 watts in the Great Lakes area.

(e) For marine fixed and marine receiver-test stations, transmitter power shall not exceed 150 watts for A3, A3A, A3H, and A3J emissions and 200 watts for F3 emission.

(f) For operational fixed stations using frequencies within the band 72 to 76 Mc/s, and for other classes of stations subject to this part operating on frequencies above 174 Mc/s, transmitter power shall be as specified in the respective station authorization.

【§ 81.134(f) amended eff. 6-5-67; IV(64)-9】

#### § 81.136 Acceptance of transmitters for licensing.

(a) Upon written request therefor made by the manufacturer or applicant for related station authorization, acceptance of a specific and readily identifiable type of radio transmitter as being capable of comply-

ing with all requirements of the Commission solely for the purpose of authorizing such transmitter in accordance with the provisions of § 81.21 will be given by the Commission subsequent to a satisfactory showing of compliance made by the applicant. The necessary showing of compliance shall, as a minimum, be in the form of a written statement (together with such supplemental charts, graphs, illustrations, test data, etc., as may be deemed appropriate by the applicant for type-acceptance or as may be required by the Commission), over the signature of a competent radio engineer attesting to actual technical performance of the transmitter in accordance with all pertinent rules, regulations, and international agreements which must be met by the class of station for which the transmitter is intended to be licensed.

(b) Request for type-acceptance and showing of compliance pursuant to the provisions of paragraph (a) of this section shall be submitted in duplicate to the Commission at Washington, D.C., 20554. One copy of such showing of compliance shall be signed by the engineer who conducted or supervised the related technical performance of the particular type of transmitter for the purpose of securing type-acceptance by the Commission.

(c) In the event the written showing of compliance prescribed by paragraphs (a) and (b) of this section is deemed by the Commission to not furnish all information or data which it requires for the purpose of type-acceptance of a particular type of radio transmitter, the Commission may supplementally require the applicant for such type-acceptance to demonstrate by actual operation of the involved equipment in the presence of one or more engineers of the Commission that the same will, in fact, comply with all pertinent rules, regulations, and international agreements. In the event the showing of compliance is finally adjudged by the Commission to be unsatisfactory for the purpose of acceptance for licensing of the particular type of transmitter, type-acceptance will not be given and that type of transmitter will not be licensed for the involved class of station.

**§ 81.137 Transmitters required to be type accepted for licensing.**

(a) Each radiotelephone transmitter authorized in a coast station, marine-utility, or marine-fixed station license (other than transmitters authorized solely for

developmental stations) must be type accepted by the Commission. This requirement shall be applicable as follows:

(1) To transmitters when operating on frequencies above 27.5 Mc/s;

(2) To single sideband and independent sideband transmitters when operating on frequencies below 27.5 Mc/s: *Provided, however, That this requirement shall not apply until January 1, 1970, to transmitters in class I public coast stations when operating on frequencies between 4 and 27.5 Mc/s.*

(b) Transmitters in each coast station authorized to operate on a secondary basis as a shipyard base station and in each shipyard mobile station shall comply with the provisions of this section.

(c) On and after April 26, 1968, each transmitter authorized in an operational fixed station license for operation on frequencies in the 72-76 Mc/s band (other than transmitters solely for developmental stations) must be type accepted by the Commission.

¶ 81.137 amended in IV(64)-5; (c) adopted eff. 6-5-67; IV(64)-9]

**§ 81.138 Special requirements for radar transmitters.**

(a) Each radar transmitter authorized for use in the maritime radiodetermination service (other than transmitters used in developmental stations) must be type approved by the Commission pursuant to the type approval procedure set forth in Part 2 of this chapter.

(b) In addition to meeting all other applicable requirements, such transmitters shall not have means available for any external adjustment(s) which can result in a deviation from the terms of the station authorization or any deviation from the applicable technical requirements for stations on land subject to this part with respect to the operation of radar transmitters.

**§ 81.139 Apparatus for generating automatically the radiotelephone alarm signal.**

(a) Any device for generating the radiotelephone alarm signal (as defined by § 81.188(b)) by automatic means shall be capable of being taken out of operation at any time in order to permit the immediate transmission of a distress call and message. The device shall comply with the following requirements:

(1) The tolerance of the frequency of each tone shall be plus or minus 1.5 percent;

(2) The tolerance on the duration of each tone shall be plus or minus 50 milliseconds;

(3) The interval between successive tones shall not exceed 50 milliseconds;

(4) The ratio of the amplitude of the stronger tone to that of the weaker shall be within the range 1 to 1.2.

(b) Except for experimental or trial operation under developmental station authorization, any device for generating the radiotelephone alarm signal by automatic means, which is used or operated by a coast station subject to this part for transmission of that signal, shall be of a type specifically approved by the Commission in respect to its accuracy, reliability, and other relevant characteristics.

#### § 81.140 Spurious emission limitations.

(a) The mean power of emissions shall be attenuated below the mean power of the transmitter in accordance with the following schedule:

(1) When using emissions other than A3A, A3B, A3H or A3J:

(i) On any frequency removed from the assigned frequency by more than 50 percent up to and including 100 percent of the authorized bandwidth: At least 25 decibels;

(ii) On any frequency removed from the assigned frequency by more than 100 percent up to and including 250 percent of the authorized bandwidth: At least 35 decibels.

(2) When using emissions A3A, A3B, A3H or A3J:

(i) On any frequency removed from the assigned frequency by more than 50 percent up to and including 150 percent of the authorized bandwidth: At least 25 decibels;

(ii) On any frequency removed from the assigned frequency by more than 150 percent up to and including 250 percent of the authorized bandwidth: At least 35 decibels.

(3) On any frequency removed from the assigned frequency by more than 250 percent of the authorized bandwidth: At least 43 plus  $10 \log_{10}$  (mean power in watts) decibels.

(b) The emission limitations of this section are applicable to any transmitter type accepted for licensing under this part.

### SUBPART F—OPERATOR REQUIREMENTS

**Subpart F (§§ 81.151–81.156 deleted and new §§ 81.151–81.159 adopted) eff. 11-3-67; IV(64)-10**

#### § 81.151 Graded values of commercial radio operator authorizations.

(a) The classes of commercial radio operator authorizations are arranged in order of descending value for the purposes of this part, as follows:

T-1, Radiotelegraph first-class operator license.  
 T-2, Radiotelegraph second-class operator license.  
 P-1, Radiotelephone first-class operator license.  
 P-2, Radiotelephone second-class operator license.  
 T-3, Radiotelegraph third-class operator permit.  
 P-3, Radiotelephone third-class operator permit.  
 RP, Restricted radiotelephone operator permit.

#### § 81.152 Operator required.

(a) As used in this subpart, "operator" means a person holding a commercial radio operator license or permit of the proper class, as prescribed and issued by the Commission.

(b) [Reserved]

(e) Except as otherwise provided in § 81.158, the actual operation of transmitting apparatus in any radio station subject to this part shall be performed only by a person holding a commercial radio operator license or permit of the required class, who shall be on duty at an authorized control point of the station and shall be responsible for the proper operation of the station as controlled from that position. The minimum class of radio operator license or permit required for operation of each specific classification of station is set forth in paragraphs (d), (e), and (f) of this section; subject, however, to the provisions of §§ 81.154, 81.155, and 81.156.

Minimum operator authorization	
(d) <i>Description of station:</i>	
Public coast telegraph, all classes	T-2
Limited coast telegraph, all classes	T-3
Coast telephone, all classes, except in Alaska:	
Exceeds 250 watts carrier power or 1,000 watts peak envelope power	P-2
250 watts or less carrier power; or 1,000 watts or less peak envelope power operating on frequencies below 30 Mc/s	P-3
250 watts or less carrier power; or 1,000 watts or less peak envelope power operating on frequencies above 30 Mc/s	RP
Coast telephone, in Alaska:	
Exceeds 250 watts carrier power; or 1,000 watts peak envelope power, Class I station	P-2
Exceeds 250 watts carrier power; or 1,000 watts peak envelope power, Class II or Class III station	P-3
250 watts or less carrier power; or 1,000 watts or less peak envelope power, all classes	RP
Marine fixed, except in Alaska	P-3
Marine fixed, in Alaska	RP
Marine utility coast	RP
Shipyard base	RP

(e) When a coast telephone station of any class is used to transmit manual telegraphy solely for identification, testing, or brief operating signals and brief traffic lists, the telegraph key shall be manipulated only by a person who holds a radiotelegraph third-class operator permit or higher class of radiotelegraph operator authorization.

(f) The minimum class of operator authorization required for operation of a marine control station is the same as the minimum required for the coast station being controlled.

(g) The operation of a marine relay station, a marine repeater station, or a marine receiver-test station is authorized to be performed by the operator of the associated coast station: *Provided*, That the activation and deactivation of the fixed station is controlled from a control point at the associated coast station.

**§ 81.154 Limitations applicable to commercial radio operator permits.**

(a) With respect to any station subject to this part which the holder of a radiotelegraph or radiotelephone third-class operator permit or restricted radiotelephone operator permit may operate, the following provisions shall apply:

(1) The holder of such a permit is prohibited from making any equipment adjustments that may result in improper transmitter operation; and

(2) The operation of the transmitter shall require only the use of simple external switching devices, excluding all manual adjustment of frequency determining elements, and the stability of the frequencies shall be maintained by the transmitter itself within the limits of tolerance specified by § 81.131 or the station license.

**§ 81.155 Control by operator.**

(a) When the station is used for telephony an unlicensed person may, if authorized by the station licensee,

speak into a station microphone, which may be located at a dispatch point (see § 81.7(n)): *Provided*, That such operation shall be under the direct supervision and responsibility of the operator on duty at an unauthorized control point (see § 81.7(m)).

(b) When the station is used for telegraphy, transmitted manually by any type of the Morse code, the transmitting telegraph key shall, wherever its location, be manipulated only by a person who holds a radiotelegraph operator license or permit of the proper class.

**§ 81.156 Adjustment of transmitting apparatus.**

Notwithstanding any other provisions of this subpart, all adjustments of radio transmitting apparatus in any station subject to this part during or coincident with the installation, servicing, or maintenance of such apparatus which may affect the proper operation of such station, must be performed by or under the immediate supervision and responsibility of a person holding a first- or second-class commercial radio operator license, either radiotelegraph or radiotelephone, who shall be responsible for the proper functioning of the station equipment: *Provided, however*, That only persons holding a radiotelegraph first- or second-class operator license shall perform such functions at radiotelegraph stations transmitting by any type of the Morse code.

**§ 81.158 Waivers of operator requirement.**

(a) No radio operator authorization is required for the operation, during the course of normal rendition of service, of any shipyard mobile station.

(b) No radio operator authorization is required for the operation during the course of normal rendition of service, of a shore radar, a shore radiolocation, a shore radiolocation training, a shore radiolocation test, or a shore radionavigation station.

**§ 81.159 Posting of operator authorization.**

When an operator is required for the operation of a station subject to this part, the original authorization (or FCC Form 759) of each such operator while he is employed or designated as radio operator of the station shall be posted in a conspicuous place at an authorized control point at which the operator is stationed: *Provided, however,* That if the operator holds a restricted radiotelephone operator permit, or in the case of stations of a portable nature if the operator holds a valid license verification card (FCC Form 758-F) attesting to the existence of a commercial radio operator authorization, he may in lieu of posting have such permit or verification card in his personal possession immediately available for inspection upon request by a Commission representative.

**【Subpart F (§§ 81.151-81.156 deleted and new §§ 81-151-81.159 adopted) eff. 11-3-67; IV (64)-10】**

## **SUBPART G—GENERAL OPERATING REQUIREMENTS**

**§ 81.171 International Regulations applicable.**

In addition to being regulated by applicable rules of this part, the use and operation of stations subject to this part shall be governed by applicable provisions of the International Radio Regulations and the applicable radio provisions of all other international agreements in force to which the United States is a party.

**§ 81.172 Cooperative use of frequency assignments.**

Unless provided otherwise by this part, or by the particular station authorization, each radiochannel authorized for use by a station subject to this part is available for such use on a shared basis only and shall not be construed as available for the exclusive use of any one station or any one station licensee. All station licensees shall cooperate in the use of their respec-

tive frequency assignment in order to minimize interference and obtain the most effective use of the authorized radiochannels.

**§ 81.173 Secrecy of communication.**

The station licensee, and the responsible radio operators, as well as all persons who may have knowledge of the text or of the existence of the radio communications transmitted or received by a fixed, land, or mobile station subject to this part, or of any information whatever obtained by means of the radiocommunication service of such station, shall be under the obligation of observing and insuring the secrecy of communications to the extent required by the Communications Act and the International Radio Regulations.

**NOTE:** See secs. 501, 502, and 605 of the Communications Act of 1934; also Article 17 of the International Radio Regulations, Geneva, 1959.

**§ 81.174 Unauthorized transmissions.**

Stations operating in the maritime mobile service or in any fixed or land mobile service subject to this part shall not engage in radiocommunication which is superfluous or unnecessary in that service. Except in an emergency which requires otherwise, the transmission by such stations of signals or communications not addressed to an authorized station or stations in an authorized maritime service is prohibited unless radiotelegraphy is used and the transmission, preceded by CQ or CP in accordance with the International Radio Regulations, is intended to be intercepted by authorized stations of the maritime mobile service.

**§ 81.175 Suspension of transmission.**

Transmission shall be suspended immediately upon detection by the station or operator licensee or upon notification by the Commission of a deviation from the technical requirements of the station authorization and shall remain suspended until such deviation is

corrected, except for transmission concerning the immediate safety of life or property, in which case transmission shall be suspended immediately after the emergency is terminated.

#### § 81.176 Service of public coast stations.

(a) Each public coast station shall, within the scope of its normal operations, be bound to exchange radio-communication with any ship or aircraft station at sea: *Provided*, That such exchange of radio-communication shall be without distinction as to radio systems or instruments adopted by each station.

(b) Each public coast station shall, within the scope of its normal operations and without discrimination, acknowledge all calls and receive all messages and communications from mobile stations (except land mobile stations) within range which are addressed or directed to it, transmit all messages and communications delivered to or via the coast station which are addressed or directed to mobile (except land mobile stations) stations within range, and in all respects, render a maritime mobile service of public correspondence without discrimination.

#### § 81.177 Service of limited coast stations and marine-utility stations.

In addition to such messages as are necessary for compliance with § 81.178, and except as may be otherwise limited by the terms of this part governing the use of particular frequencies or by the terms of the station license, a limited coast station or a marine-utility station operated on shore is authorized to transmit within the scope of its normal operations messages necessary for the safe, expeditious or economical operation of ships or (when necessary) for the safety of aircraft.

#### § 81.178 General obligations of coast stations.

With respect to distress and the safety of navigation, life, or property, each coast station or marine-utility station shall, within the scope of its normal operation, acknowledge all such safety calls and receive all such safety communication addressed or directed to it by ship or aircraft stations. Notwithstanding the terms and conditions of the station license, such stations may transmit safety communication to any ship or aircraft station in the maritime mobile service.

#### § 81.179 Message charges.

(a) (1) No charge shall be made for the service of any public coast station unless effective tariffs applicable to such service are on file with the Commission, pursuant to the requirements of Section 203 of the Communications Act and Part 61 of this chapter.

(2) No charge shall be made for the service of any station subject to this part, other than a public coast station, except as provided by and in accordance with § 81.352.

(b) No charge shall be made by any station in the maritime mobile service of the United States for the

transmission of distress messages and replies thereto in connection with situations involving the safety of life and property at sea.

(c) No charge shall be made by any station in the maritime mobile service of the United States for the transmission, receipt, or relay of the information concerning dangers to navigation designated in § 83.303 (b) of this chapter, originating on a ship of the United States or of a foreign country.

(d) Any common carrier subject to the Communications Act may furnish reports of positions of ships at sea to newspapers of general circulation, either at a nominal charge or without charge, provided the name of such common carrier is displayed along with such ship position reports.

(e) Any common carrier subject to the Communications Act may render to any agency of the United States Government free service in connection with the preparation for the national defense. Every such carrier rendering any such free service shall make and file, in duplicate, with the Commission, on or before the 31st day of July and on or before the 31st day of January in each year, reports covering the periods of 6 months ending on the 30th day of June and the 31st day of December, respectively, next prior to said dates. These reports shall show the names of the agencies to which free service was rendered pursuant to this paragraph, the general character of the communications handled for each agency, and the charges in dollars which would have accrued to the carrier for such service rendered to each agency if charges for all such communications had been collected at the published tariff rates.

#### § 81.180 Priority of communications to be observed.

Stations in the maritime mobile service shall observe at all times the priority of communications set forth in § 81.181; in particular, all such stations shall give absolute priority to radio communications or signals relating to any ship or aircraft in distress; shall, when any distress signal or communication is anticipated or intercepted, cease all transmission on frequencies which may interfere with any station hearing such radio communication or signal of distress except when engaged in answering or aiding the ship or aircraft in distress, and shall assist the vessel or aircraft in distress, so far as possible, by complying with its instructions.

#### § 81.181 Order of priority of communications.

(a) The order of priority of radiotelegraph communications in the maritime mobile service on any frequency used for this service shall be as follows:

(1) Distress calls (including the international distress signal for radiotelegraphy),<sup>1</sup> the international radiotelegraph alarm signal,<sup>2</sup> the international radiotelephone alarm signal,<sup>2</sup> distress messages, and distress traffic.

<sup>1</sup> See § 81.7 for definition of this signal.

<sup>2</sup> See § 81.188 for definition of this signal.