

# RULES AND REGULATIONS

Part 83

*Stations on Shipboard in  
the Maritime Services*

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**AUTHORITY:** §§ 83.1 to 83.803 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. Subchap. I, III-VI; 3 UST 3450, 3 UST 4726, 12 UST 2377.

NOTE 1: See Commission Order (FCC 61-952 adopted July 26, 1961, effective Sept. 1, 1961, in Docket 13953), 26 F.R. 6349, 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 omnidirectional operations.

[Notes 2 and 3 deleted as obsolete; IV (64)-8]

**§ 83.1 Basis and purpose.**

(a) The basis for the rules following in this part is the Communications Act of 1934, as amended, and applicable treaties and agreements to which the United States is a party.

(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 radiocommunication and radiodetermination for maritime operations and for public correspondence which require radio transmitting facilities on board ship and, for certain maritime communications, including public correspondence, on board aircraft; and to prescribe, in so far as is necessary to carry out the provisions of statute and applicable treaties and agreements relative to radio operators and radio installations on board ships for safety purposes, the details as to location, manner of installation, use, and availability of the required equipment, apparatus, spare parts, and such supplementary equipment as may be necessary for the proper functioning of the required shipboard radio installations for the proper conduct of radiocommunication in time of emergency or distress.

**SUBPART A—DEFINITION OF TERMS**

**§ 83.2 General.**

(a) *Safety Convention.* The International Convention for the Safety of Life at Sea, London, 1960, including the Regulations annexed thereto.

(b) *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.

(c) *Region 1, Region 2, and Region 3.* Those geographic areas defined as "Region 1", "Region 2", and "Region 3" in Article 5 of the International Radio Regulations, Geneva, 1959.

(d) *Great Lakes Agreement.* The Agreement for the Promotion of Safety on the Great Lakes by Means

of Radio and the regulations referred to therein, made by and between the Governments of the United States and Canada, which came into force on November 13, 1954.

(e) *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.

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

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

(h) *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.

(i) *Ship station license.* A license authorizing the operation of a ship station, a survival craft station associated with a ship, or a ship radionavigation station.

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

(k) *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.

(l) *Day.* (1) 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 one hour after local sunrise and one hour before local sunset.

(2) Where the word "day" occurs in reference to watch requirements, or to the provisions of § 83.449, such use of the word "day" shall be construed to mean the calendar day, from midnight to midnight, local ship's time.

(m) *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.

(n) *Ship or vessel.* "Ship" or "vessel" includes every description of watercraft or other artificial contrivance, except aircraft, used or capable of being used as a means of transportation on water, whether or not it is actually afloat.

(o) *Categories of ships.* (1) Where use of the term

"passenger ship" or "cargo ship" occurs in reference to the provisions of Part II of Title III of the Communications Act, such use of the term shall be construed as follows: A ship is a passenger ship if it carries or is licensed or certificated to carry more than twelve passengers. A cargo ship is any ship not a passenger ship.

(2) Where use of the term "passenger ship" or "cargo ship" occurs in reference to the radio provisions of the Safety Convention or in reference to frequency assignment, such use of the term shall be construed as follows: A ship is a passenger ship if it carries more than twelve passengers. A cargo ship is any ship not a passenger ship.

(3) A "commercial transport vessel" is any ship or vessel which is used primarily in commerce (i) for transporting persons or goods to or from any harbor(s) or port(s) or between places within a harbor or port area, or (ii) in connection with the construction, change in construction, servicing, maintenance, repair, loading, unloading, movement, piloting, or salvaging of any other ship or vessel.

(4) The term "passenger carrying vessel", as used in this part solely in reference to requirements of the Great Lakes Agreement, means any vessel transporting persons for hire.

(p) *Safety Convention Certificates*—(1) *Nuclear Passenger Ship Safety Certificate*. A certificate issued after inspection and survey to a nuclear passenger ship which complies with the relevant requirements of the Safety Convention.

(2) *Passenger Ship Safety Certificate*. A certificate issued after inspection and survey to a passenger ship which complies with the relevant requirements of the Safety Convention.

(3) *Nuclear Cargo Ship Safety Certificate*. A certificate issued after inspection and survey to a nuclear cargo ship which complies with the relevant requirements of the Safety Convention.

(4) *Cargo Ship Safety Radiotelegraphy Certificate*. A certificate issued after inspection to a cargo ship which complies with the Safety Convention radio requirements applicable to cargo ships carrying a radiotelegraph station for the purpose of meeting such requirements.

(5) *Cargo Ship Safety Radiotelephony Certificate*. A certificate issued after inspection to a cargo ship which complies with the Safety Convention radio requirements applicable to cargo ships carrying a radiotelephone station for the purpose of meeting such requirements.

(6) *Exemption Certificate*. A certificate issued to a ship which is granted partial, conditional, or complete exemption from applicable provisions of the Safety Convention.

(q) *Installed*. As used in this part with respect to the requirements of radio apparatus authorized under the provisions of this part for use on board ship or in stations subject to this part, the term "installed" means installed on board the particular ship or in the

particular station to which the pertinent rule or regulation, involving the use of this term, is applied.

(r) *Great Lakes*. This term, as used in this part solely in reference to the Great Lakes Agreement, means all of the Great Lakes, their connecting and tributary waters, and the St. Lawrence River as far east as the lower exit of the Lachine Canal and the Victoria Bridge at Montreal, but shall not include tributary rivers which are not also connecting rivers, and shall not include the Niagara River (including the Black Rock Canal).

(s) *Destination*. In reference to the Great Lakes Agreement this term means a port which a vessel enters for the purpose of initiating or completing the specific activity which characterizes the vessel. For example, with respect to vessels carrying passengers or goods, a port at which a vessel, either partially or completely, loads or unloads passengers or goods, would constitute its destination.

[§ 83.2(a) & (p) as amended eff. 5-26-65; IV(64)-3]

### § 83.3 Maritime mobile service.

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

(b) *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.)

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

(d) *Ship station*. A mobile station in the maritime mobile service located on board a vessel, other than a survival craft, which is not permanently moored.

(e) *Public ship station*. (1) A ship station open to public correspondence.

(2) Public ship stations authorized to employ telegraphy for public correspondence are further classified according to their hours of service for telegraphy as designated in this section:

*First Category*. These stations carry on a continuous service of public correspondence.

*Second Category*. These stations carry on a designated service of public correspondence of prescribed but limited duration at least during the period designated for ship stations of the second category by the International Radio Regulations or, in the case of voyages of short duration, as otherwise designated by the Commission in accordance with those Regulations.

*Third Category*. These stations carry on a service of public correspondence, the duration of which is prescribed but is less than that of stations of the "Second Category," or is not prescribed but is determined by the master of vessel pursuant to his authority under section 360 of the Communications Act.

unspecified points ashore within a designated local area.

(i) *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 (g) and (h) of this section, at the time it is being operated.

(j) *Survival craft station.* A mobile station in the maritime or aeronautical mobile service intended solely for survival purposes and located on any lifeboat, life-raft or other survival equipment.

#### § 83.4 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 mobile station.* A station in the radionavigation service intended to be used while in motion or during halts at unspecified points.

(h) *Ship radionavigation station.* A radionavigation mobile station located on board a ship and used solely for 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) *Ship radar station.* A ship 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 mobile station.* A station in the radiolocation service intended to be used while in motion or during halts at unspecified points.

(o) *Ship radiolocation station.* A radiolocation mobile station located on board a ship and used solely for maritime radiolocation service.

(p) *Ship radiolocation test station.* A ship radiolocation station used solely for testing maritime radionavigation apparatus incident to its manufacture, installation, repair, servicing, and/or maintenance.

(q) *Radio direction finding.* Radiodetermination using the reception of radio waves for the purpose of determining the direction of a station or object.

(r) *Direction finder (radio compass).* Apparatus capable of receiving clearly perceptible radio signals and capable of taking bearings on these signals from which the true bearing and direction of the point of origin of such signals with respect to the point of reception may be determined.

#### § 83.5 Developmental maritime stations on board ship.

(a) *Developmental mobile station.* A mobile 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 mobile 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) *Specific classification.* The specific classes of developmental stations on board ships in the maritime mobile service and in the maritime radiodetermination service (including maritime radionavigation service) are the same as the 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: "limited ship station (developmental)".

#### § 83.6 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) *500 kilocycles silence period.* The three-minute period twice an hour beginning at x h. 15 and x h. 45, Greenwich mean time, during which the International Radio Regulations require that all transmission (except for certain emissions designated in those Regulations) must cease on all frequencies within a designated frequency band centered on 500 kc/s.

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



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

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

(h) *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 communication 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 modifications or concerned with changes in the movement of the ship because of those repairs or modifications.

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

(j) *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.

#### § 83.7 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 encountered in the modulation. A time of  $\frac{1}{40}$  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.

*Spurious emission.* Emission on a frequency or frequencies which are outside the necessary band, and the level of which may be reduced without affecting 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.

#### § 83.8 Installation for safety communication.

(a) *Existing installation.* The term "existing installation", as used in the part solely in reference to requirements of part II of title III of the Communications Act or of the Safety Convention, means an installation installed on a ship prior to November 19, 1952, in the case of a United States ship subject to the radio provisions of the Safety Convention, or one installed on a ship prior to August 13, 1955, in the case of other ships subject to part II of title III of said Act.

(b) *New installation.* The term "new installation", as used in this part solely in reference to requirements of part II of title III of the Communications Act or of the Safety Convention, means an installation which replaces an existing installation or, in the case of a United States ship subject to the radio provisions of the Safety Convention, one installed on a ship subsequent to November 19, 1952, and in the case of other ships subject to part II of title III of said Act, one which is installed subsequent to August 13, 1955.

### SUBPART B—APPLICATIONS

#### § 83.21 Authorization required for operation of a radio station.

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.

**§ 83.22 Administrative classification of stations.**

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

(1) Public ship stations authorized to employ telegraphy for public correspondence :

- (i) First category ;
- (ii) Second category ;
- (iii) Third category.

(2) Public ship stations not authorized to employ telegraphy for public correspondence ;

- (3) Limited ship stations ;
- (4) Marine utility stations ;
- (5) Survival craft stations.

(b) Public ship stations not authorized to employ telegraphy for public correspondence are licensed as public ship stations (one class) without distinction relative to hours of service for public correspondence.

(c) Limited ship stations are licensed (one class) without distinction relative to hours of service.

(d) One ship station license is issued in behalf of one station licensee to authorize the operation of a station which is within more than one class as enumerated in paragraph (a) of this section. In all such cases, if the station by reason of any portion of its use or operation comes within the definition of a public ship station (as defined by § 83.3(e)), it is licensed as a public ship station. If the station is authorized to employ telegraphy for public correspondence, it is further classified in accordance with paragraph (a) (1) of this section.

(e) Survival craft stations are normally authorized by listing the transmitting equipment on the ship station license.

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

- (1) Ship radiolocation stations ;
- (2) Ship radiolocation test stations.

(g) Stations in the maritime radionavigation service subject to this part, including ship radar stations, are normally licensed as ship radionavigation stations.

**§ 83.23 Statutory eligibility for station license.**

Section 310 of the Communications Act places the following express limitations on the granting and holding of station licenses :

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

- (1) Any alien or the representative of any alien ;
- (2) Any foreign government or the representative thereof ;

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

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

(5) 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 ;

(6) 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

(7) 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.

(8) Nothing in subparagraphs (1) through (7) of this paragraph shall prevent the licensing of radio apparatus on board any vessel, aircraft, or other mobile station of the United States when the installation and use of such apparatus is required by Act of Congress or any treaty to which the United States is a party.

**§ 83.24 Application precedent to authorization.**

(a) Except as otherwise provided by §§ 83.26, 83.41, and 83.42, no authorization will be granted for use or operation of any radio station on board ship in any service governed by this part unless formal written application therefor in proper form first is filed with the Commission, or pursuant to § 83.35 at a Field Engineering Office of the Commission.

(b) Except as otherwise provided by §§ 83.35, 83.41, and 83.42, an application in writing should be filed at least sixty 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.

(c) Each application shall be specific and complete with regard to the information requested in the application form, or otherwise specifically requested by the Commission. Unless otherwise specified in a particular case or for a particular form, each application shall be filed in original only.

NOTE: 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., or from any of its field offices.

【§ 83.24(a) as amended eff. 4-22-66; IV (64)-6】

#### § 83.25 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.

#### § 83.26 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 with the original properly signed. Each application shall be clear and complete within itself as to the facts presented and the action desired.

#### § 83.27 Defective applications.

(a) An application which is not made in accordance with the Commission's rules or other requirements will be considered defective unless accompanied by a request to waive or petition to amend the rule or other requirement with which the application is in conflict. The reasons which are believed to support such a request or petition shall be set forth in detail.

(b) 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.

(c) When an application in written form is considered to be incomplete or defective, the Secretary of the Commission or, in the case of an application for regular ship station license or modification of license filed at a Field Engineering Office of the Commission accompanied by a request for interim ship station license, either the Secretary of the Commission or the Engineer-in-Charge of the particular Engineering Field Office, will return it to the applicant unless the Commission should otherwise direct. The reason for return of the application will be indicated, and, if appropriate, necessary additions or corrections may be suggested.

**§ 83.28 Amendment or dismissal of application.**

Any application may be amended or dismissed without prejudice upon request of the applicant prior to the time the application is granted or designated for hearing. Each amendment of, or request for dismissal of, an application shall be signed and submitted in the same manner and with the same number of copies as required for the original application. All related correspondence or other material which is to be considered as a part of an application already filed shall be submitted in the form of an amendment to the application concerned.

**§ 83.29 Partial grant of application.**

Whenever the Commission, without a hearing grants an application (other than a grant of an interim ship station license) 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 public announcement of 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, if necessary, and set the application for hearing in the same manner as other applications are set for hearing.

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

(a) Any provisions of 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 or maritime radiodetermination service. 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 this part (except these 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.

**§ 83.31 Applications concerning marine-utility stations.**

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 Part 81 of this chapter and an application for construction permit to establish such station shall be filed with the Commission, pursuant to the requirements therefor contained in that part.

**§ 83.32 Application for station license.**

(a) In accordance with § 83.24 application for station license to authorize the use and operation of radio transmitting apparatus on board ship shall be submitted on the appropriate Federal Communications Commission form as prescribed in § 83.36.

(b) Each application for a public ship station license which requests authority to employ telegraphy for public correspondence shall designate the class of station desired to be authorized, in accordance with the terms of § 83.3(e).

**§ 83.33 Changes during license term.**

(a) Application for modification of license shall be submitted in the following instances:

(1) Additions, deletions or replacement of transmitting equipment required to be installed to comply with the provisions of Title III, Part II of the Communications Act;

(2) Additions or replacement of transmitting equipment which operates in a frequency band or bands other than specified in the license.

(b) When the name of a licensee is changed (without changes in the ownership, control, or corporate structure), or when the mailing address is changed, a formal application for modification 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 name of the vessel, 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 Federal Communications Commission, Gettysburg, Pa., 17325, or to Secretary, Federal Communications Commission, Washington, D.C., 20554, depending on where the applications for licenses are required to be filed, and a copy shall be posted with the license until a new license is issued.

(c) When the name of the vessel is changed, an 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 old as well as the new name of the vessel, the call sign of the station, the name and address of the licensee, and the number of the vessel (if it has a Customs Bureau, U.S. Treasury Department, official number). The notice shall be sent to Federal Communications Commission, Gettysburg, Pa., 17325, or to Secretary, Federal Communications Commission, Washington, D.C., 20554, depending on where the applications for licenses are required to be filed, and a copy shall be posted with the license until a new license is issued.

(d) Except as provided in paragraph (a) of this section, no application for modification of license is required when deletions occur with respect to the authorized transmitting equipment.

(e) Except as provided in paragraph (a) of this section, no application for modification of license is required for additions or replacement of type accepted radiotelephone transmitters and/or type approved radar units that operate in the same frequency band or bands as specified in the license.

**[§ 83.33 amended in IV (64)-2, IV (64)-5 and IV (64)-6; (a) amended and (d) and (e) adopted eff. 8-1-66; IV (64)-7]**

#### § 83.34 Renewal of license.

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.

#### § 83.35 Request for interim ship station license.

(a) A formal application for a new ship station license or for a modification of an existing license if

required by § 83.33 to authorize the use of telephony and/or radar on board a vessel when accompanied by a request for an interim ship station license, shall be filed in accordance with § 83.36 and presented in person by the applicant or his agent at the nearest Field Engineering Office of the Commission or at the Commission's main office in Washington, D.C.: *Provided*, That, as an alternative procedure, an applicant, in Alaska, for such a ship station license may submit an application by mail to the Commission's Field Engineering Office at Anchorage, Alaska, when accompanied by a written request for an interim ship station license.

(b) Such application as prescribed in paragraph (a) of this section may be filed, without regard to the filing time specified in §§ 83.24(b) and 83.33 whenever need arises for necessary authority to use a ship station for telephony and/or radar under the limitations of an interim ship station license on board any vessel pending action by the Commission at Washington, D.C., on the related formal application for regular license or modification of license.

(c) In the event the use of a ship station under the limitations of an interim license would not meet the requirements of an applicant or when an application for renewal of station license is involved, the applicant may, subject to and in accordance with the conditions set forth in § 83.41 or 83.42, whichever is applicable, apply to the Commission at Washington, D.C., for special temporary station authorization or for license or modification or renewal of license in an emergency.

**[§ 83.35(a) amended eff. 8-1-66; IV (64)-7]**

#### § 83.36 Application forms for station authorizations.

(a) FCC Form 502 shall be used for filing formal applications for new or modified ship radiotelephone and/or radionavigation station licenses, except for radiotelephone stations required by Title III, Part II of the Communications Act of 1934, as amended, or the Safety of Life at Sea Convention; or except where the applicant is also applying for radiotelegraph equipment aboard the vessel. In the case of the exceptions listed in the preceding sentence, application for a new or modified ship station license shall be filed on FCC Form 501. Application for a new or modified ship radiotelegraph station license only shall be filed on FCC Form 501. Applications for renewal of radiotelephone stations required by Title III, Part II of the Communications Act of 1934, as amended, or the Safety

of Life at Sea Convention, and for renewal of all ship licenses which are solely for radiotelegraph or include radiotelegraph shall be filed on FCC Form 405-A. An application for renewal of ship radiotelephone station license (other than those listed in the preceding sentence) and/or ship radionavigation station license shall be filed on FCC Form 405-B.

(b) FCC Form 407 shall be used for filing formal application for new or modified station license in the maritime radiolocation service.

(c) FCC Form 405-A shall be used for filing application for renewal of station license in the maritime radiolocation service.

**[§ 83.36 (a) amended in IV (64)-2, as further amended eff. 8-1-66; IV (64)-6]**

**§ 83.37 Application for consent to voluntary transfer of control; nonassignment of license.**

(a) Application for consent to voluntary transfer of control of a corporation holding a license (other than an interim license) covering any class of station governed by this part shall be filed with the Commission on FCC Form 703 "Application for Consent to Transfer of Control of Corporation Holding Construction Permit or Station License" at least 60 days prior to the contemplated effective date of the transfer of control in order that action thereon may be taken by that date.

(b) In the case of stations on board ships licensed to operate in any service governed by this part, voluntary assignment of licenses will not be made. Whenever there is a change of ownership of a ship radio station, the new owner must apply for a new license. Upon receipt of the new license, the former license must be surrendered for cancellation.

(c) In the case of ship stations licensed to operate in any service governed by this part, involuntary assignment of licenses will not be made. Upon the death or legal disability of the licensee, such licenses shall be surrendered for cancellation.

**§ 83.38 Applications filed concurrently.**

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:

(a) Applications for modification of station license and for renewal of station license;

(b) Applications for modification of station license and for consent to voluntary transfer of control of a corporation holding a station license;

(c) Application for renewal of station license and for consent to voluntary transfer of control of a corporation holding a station license.

**§ 83.39 One application for a plurality ship station license.**

(a) One application may be filed for a plurality ship station license to cover similar radiotelephone stations (normally in multiples of ten) on board two or more ships: *Provided*, The following elements are the same:

(1) Nature of application (new, renewal, modification or special temporary authority);

(2) Applicant;

(3) Licensee (when request is for renewal or modification);

(4) Class of station and nature of service;

(5) Conditions which establish and maintain control of the station;

(6) Class or classes of emission, authorized transmitter power, and authorized carrier frequency or frequencies are the same for each radiotelephone transmitter to be authorized.

(b) The issuance of such a license as provided in paragraph (a) is contingent on the following:

(1) The ships do not engage on voyages to any foreign country;

(2) The transmitting equipment is not authorized in any other instrument issued by the Commission;

(3) The transmitting equipment is not installed on board ship for the purpose of complying with the provisions of any statute or international agreement requiring the installation or use for safety purposes;

(4) The licensee shall keep a current list, available for inspection, of all vessel names and registration numbers authorized by the plurality ship station license.

**[§ 83.39 as amended eff. 12-17-65; IV (64)-5]**

**§ 83.40 Application for station of portable nature (other than marine-utility station).**

(a) Upon application as appropriate under § 83.26, 83.36, 83.41 or 83.42, including a supplemental statement as prescribed in subparagraph (1) and (2) of this

paragraph, the Commission may grant a license, modification of license, renewal of license, or special temporary authorization, permitting operation of a station of an established class in the maritime mobile or maritime radiodetermination service which is readily portable for use as the occasion requires on board a ship or ships of the United States: *Provided*, The applicant makes a satisfactory showing that:

(1) The station will be operated as an established class of station on board ship in conformity with all applicable rules of the Commission, and

(2) Unusual circumstances exist whereby a station license to cover such operation is necessary to eliminate the necessity of frequently filing applications for special temporary authority, licenses, or modifications of license in order to permit on short notice the temporary operation of specified apparatus on board a designated ship or ships of the United States.

**§ 83.41 Application for special temporary station authorization.**

(a) Application for special temporary authority in lieu of or supplemental to normal form of station license for use and operation of radio transmitting apparatus on board ship in the maritime mobile service or the maritime radiodetermination service, not involving an emergency found by the Commission, shall be limited to circumstances in which need exists for temporary use, for a limited period of time, of:

(1) Radio transmitting apparatus not currently authorized for the desired operation, or

(2) An authorized station in a manner or at times not permitted by the current station authorization.

(b) In accordance with paragraph (a) of this section written application for special temporary authority for the use and operation of radio transmitting apparatus on board ship may be filed informally as prescribed by § 83.26, except that such application shall be filed not less than 10 days prior to the earliest date of proposed operation unless an acceptable reason for failure to meet this time limitation is included in the

application or is otherwise evident to the Commission.

(c) (1) Each application for special temporary authority submitted under the provisions of this section shall contain, as a minimum requirement, the following information:

(i) Name of applicant;

(ii) Name of agent, if application is made by an agent, in cases under § 1.913 of this chapter;

(iii) Official call letters of any valid station authorization or construction permit already held by applicant, and the related station location;

(iv) Name and type of ship;

(v) Official registry number of ship, if available;

(vi) Official call letters or radio call sign, if any, assigned to ship;

(vii) Explanation of need for special temporary authority in lieu of normal form of station license;

(viii) Class of station and nature of service desired;

(ix) Complete particulars concerning purpose and nature of proposed operation;

(x) Specific station(s) or class of station(s), whichever is appropriate, with which communication is intended;

(xi) Frequency assignment, authorized transmitter power, and authorized class or classes of emission desired;

(xii) Equipment to be used, specifying the manufacturer, model number, rated power, and frequency stability to be maintained;

(xiii) The date(s) and time(s) of the proposed operation.

(2) Each application for special temporary authority submitted under the provisions of this section shall, in addition to the information specified in subparagraph (1) of this paragraph, contain such of the following information as is not already on file with the Commission:

(i) Address of applicant;

(ii) Address of agent, if application is made by an agent, in cases under § 1.913 of this chapter;

(iii) Relation of applicant to owner of vessel;

(iv) 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 requirements of section 310 of the Communications Act.

**§ 83.42 Application for license or modification or renewal of license in an emergency.**

(a) In cases of emergency involving danger to life or property or due to damage to equipment wherein the grant of an interim ship station license as provided by § 83.35 is not possible or such grant would not satisfy the requirements of the emergency, applications for a station license, or for modification or for renewal of a station license, to authorize certain use and operation of radio transmitting apparatus on board ship in the maritime mobile or maritime radio-determination service in accordance with applicable provisions of treaty, statute, and rules of the Commission, may be filed at any time by telegram or letter. In the event that the Commission finds that such an emergency exists, temporary authorization may be granted to 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.

**NOTE:** For example, an emergency is found by the Commission when the desired authorization is urgently needed for the use of shipboard radio apparatus for purposes of safety at sea, and circumstances beyond control of the applicant have prevented the filing of a written 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.

(b) (1) Each application submitted under the provisions of paragraph (a) of this section shall contain, as a minimum requirement, the following information:

- (i) Name of applicant;
- (ii) Name of agent, if application is made by an agent, in cases under § 1.913 of this chapter;
- (iii) Name and type of ship;
- (iv) Official registry number of ship, if available;
- (v) Official call letters or radio call sign, if any, assigned to ship;
- (vi) Class of station desired (not required for renewal, nor for modification unless class of station is to be modified);
- (vii) Frequency assignment, authorized transmitter power(s), and authorized class or classes of emission desired (not required for renewal; required for modification only to the extent such information may be involved);
- (viii) 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);
- (ix) Specific station(s) with which communication

is desired (not required for renewal; otherwise required only when applicable under the Commission's rules);

(x) 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.

(2) Each application for a station license submitted under the provisions of paragraph (a) of this section shall, in addition to the information specified in subparagraph (1) of this paragraph, contain such of the following information as is not already on file with the Commission:

- (i) Address of applicant;
- (ii) Address of agent, if application is made by an agent, in cases under § 1.913 of this chapter;
- (iii) Relation of applicant to owner of vessel;
- (iv) 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.

(c) As provided by and in accordance with the provisions of paragraphs (a) and (b) of this section in respect to applications for a station license or modification or renewal of a station license, applications also may be filed, in cases of emergency involving danger to life or property or due to damage to equipment, for a permit to be issued by cable, telegraph, or radio for the operation of a station on board a ship at sea, and in the event the Commission finds such an emergency exists such permit may be granted to be effective in lieu of a station license until such ship shall return to a port of the continental United States.

**§ 83.43 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.

**§ 83.44 Failure to prosecute applications.**

An applicant not desiring to prosecute his application may request that it be dismissed without prejudice. Where an applicant fails to respond within a reasonable time to official correspondence or request for additional material, the application will be dismissed without prejudice.

**§ 83.45 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.



NOTE: §§ 83.46 to 83.49, inclusive, relate only to ship radio installations required by law for safety purposes.

#### § 83.46 Application for inspection and certification.

(a) Application for inspection and certification shall be submitted on the appropriate form as prescribed in this section to the Engineer in Charge of the radio district office nearest the desired place of inspection, at least 3 days in advance of the day on which inspection is desired. Such application shall be filed by the vessel owner, the vessel's operating agency, the ship station licensee, or the master of the vessel.

(b) FCC Form 801 shall be used to apply for annual inspection of radio stations on board ships subject to the provisions of part II of title III of the Communications Act or to the radio provisions of the Safety Convention. In the case of passenger ships, such inspection should coincide with the annual inspection of the ship by the United States Coast Guard. A service representative of the ship station licensee and (unless otherwise notified by the Commission's representative) sufficient personnel to lower and raise antennas and to launch any required radio equipped survival craft shall be available on the ship at the time inspection is to be performed. In the case of radiotelegraph stations, the service representative shall hold a radiotelegraph first- or second-class operator license; in the case of radiotelephone stations, the service representative shall hold a first- or second-class operator license, either radiotelegraph or radiotelephone.

(c) FCC Form 809 shall be used to apply for annual survey of radio stations on board ships subject to the provisions of the Great Lakes Radio Agreement.

(d) FCC Form 812 shall be used to apply for biennial inspection of radio stations on board vessels subject to the provisions of part III of title III of the Communications Act.

#### § 83.47 Application for temporary waiver of annual inspection.

(a) Informal application for temporary waiver of the annual inspection required under section 362(b) of the Communications Act, as provided in that section, shall be filed by the vessel owner, the vessel's operating agency, the ship station licensee, or the master of the vessel not earlier than 3 days in advance of the vessel's arrival at a United States port. The application shall be filed with the Commission's Engineer in Charge of the radio district office nearest the port of arrival, and shall include:

- (1) The ship's name and radio call sign;
- (2) The name of the first United States port of arrival directly from a foreign port;
- (3) The date of such arrival;
- (4) The date and port at which annual inspection will be formally requested to be conducted;
- (5) Reason for requesting waiver; and
- (6) An affirmation that the ship's required radio equipment is in effective operating condition.

(b) Temporary waiver of annual inspection may be

granted in response to a properly filed application therefor, or may be issued by the Engineer in Charge on his own motion upon receipt of an application for annual inspection, for a period not to exceed 30 days from the time of first arrival of the ship at a United States port directly from a foreign port in cases where:

(1) The duration of the vessel's scheduled stay in port is too short to permit completion of annual inspection during normal working hours;

(2) The distance to the vessel would not permit completion of annual inspection, including travel time, during normal working hours;

(3) Commission inspection personnel are not available to conduct the annual inspection during normal working hours;

(4) Annual inspection in the port could probably not be completed inasmuch as, during normal working hours, the vessel is scheduled to load or discharge inflammable or unstable cargo or the exigencies of cargo handling renders required antennas unavailable; or

(5) Replacement of the required radio equipment or a major component thereof is scheduled to be made at the alternate port proposed for the annual inspection.

#### § 83.48 Extra compensation for overtime services by engineers in charge and radio engineers.

(a) Pursuant to section 4(f)(3) of the Communications Act, Engineers in Charge and Radio Engineers of the Field Engineering Bureau of the Federal Communications Commission, who may be required to remain on duty to perform services in connection with the inspection of ship radio equipment and apparatus for the purposes of Part II of Title III of the act or the Great Lakes Agreement at night or on Sundays and holidays, shall receive extra compensation, to be paid by the master, owner, or agent of the vessel, under the following regulations:

(1) The rates of extra compensation are payable in cases where the services of such engineers have been duly requested and they have reported for duty, even though no actual service may be performed.

(2) The extra compensation for overtime services is in addition to the regular compensation paid by the government in the case of engineers whose compensation is fixed on the ordinary per diem basis and those receiving compensation per month or per annum.

(3) Extra compensation for "waiting time" will not be allowed unless and until the engineer actually reports for duty.

(4) For the purpose of computing extra compensation, the word "night" shall mean the time between the established closing hour of one day at the office involved and the established opening hour of the following business day at such office, but shall not include any such time within the 24 hours of a Sunday or holiday. Each Sunday and each holiday shall comprise the 24 hours between midnight and midnight. For the purposes of this section the time between the

established closing hour of an office and midnight of the day immediately preceding a Sunday or holiday and the time from midnight until the established opening hour of the day immediately following the said Sunday or holiday will be considered as a single night. The term "holiday" shall include only national holidays, viz. January 1, February 22, May 30, July 4, the first Monday in September, November 11, Thanksgiving Day (when designated by the President), December 25, and such other days as may be designated national holidays by the President or by Congress.

(5) For authorized service in excess of 8 hours on any day excluding Sunday and holidays, extra compensation equivalent to one-half day's pay is payable for each 2 hours or fraction thereof of at least 1 hour that the overtime extends beyond the said 8 hours provided that the overtime is not less than 1 hour. The maximum amount which may be paid for such authorized overtime services on any one day other than on a Sunday or holiday shall not exceed 2½ days' pay.

(6) In computing the amount earned for overtime at the rate of "one-half day's pay for each 2 hours or fraction thereof of at least 1 hour that the overtime extends beyond the established closing hour", one-half day's pay shall be one-half of the gross daily rate of pay; each 2 hours is the time period for the purpose of computation; at least 1 hour means the minimum service in any such 2-hour overtime period for which extra pay may be granted, and each additional period in the amount of 2 hours or fraction thereof of at least 1 hour will entitle the engineer to an additional one-half day's pay. Payment of extra compensation for services consisting of at least 1 hour is authorized from the established closing hour, even though such services may not actually begin until later, provided that the engineer rendering the service remained on duty after the established closing hour, in which case the time between the established closing hour, and the time of beginning the actual services shall be computed as waiting time. Where the performance of actual service is preceded by such a waiting time there should be an affirmative statement that the engineer was required to remain on duty between the established closing hour and the time of beginning the actual services.

(7) In computing extra compensation where the services rendered are in broken periods, the time served should be combined with the waiting time and computed as continuous service.

(8) The same considerations shall apply when charging for waiting time as govern the charge for services actually rendered. No charge should be made unless after having reported for duty the waiting time amounts to at least 1 hour.

(9) For any authorized services performed on Sundays and holidays, totalling not more than 8 hours, extra compensation is payable equivalent to two days' pay in addition to any regular compensation for such days. For any authorized service in excess of 8 hours (starting either before or after 5 p.m. local time) extra compensation at the rate of one-half day's pay, based

on the normal daily rate of pay, for each two hours of service or fraction thereof of not less than 1 hour, is payable in addition to the extra compensation payable for service up to and including 8 hours of service. The maximum extra compensation payable for work on Sundays and holidays is 4½ days' pay.

(10) When engineers are in travel status overtime shall apply the same as at official station. However, compensation for such overtime shall not include travel time.

(11) Assessments and collection of fees against steamship companies for overtime services shall be made even though the payment to employees for such services may not be made until funds are appropriated for that purpose.

(12) An application on a form prescribed by the Commission shall be filed with the office being requested to furnish overtime services before such assignment can be made.

(13) Overtime services shall be billed to the steamship companies as soon as possible after the services have been performed and on collection voucher provided for that purpose. Remittance shall be by postal money order or certified check payable to the "Collector of Customs, Treasury Department" and forwarded to that officer at the port indicated on the voucher, who shall in turn deposit such remittance on a properly designated receipt account.

(14) Protests against the exaction of extra compensation shall be forwarded to the Commission at Washington, D.C., and a copy thereof sent to the office which furnished the overtime services.

#### § 83.49 Application for exemption.

(a) Application for exemption from radio equipment and operator requirements, or for modification or renewal of exemption previously granted, shall be submitted by the vessel owner, the vessel's operating agency, or the master of the vessel to the Secretary, Federal Communications Commission, Washington, D.C., 20554, on the appropriate form as prescribed in this section. In cases of emergency found by the Commission, the Commission may consider an informal application which should include the full information normally furnished on the formal application.

(1) FCC Form 820 shall be used for filing formal application for exemption from requirements of parts II or III of title III of the Communications Act, and/or the Safety Convention;

(2) FCC Form 820-A shall be used for filing formal application for exemption from requirements of the Great Lakes Radio Agreement.

(b) When an exemption under and in accordance with the provisions of the Safety Convention is granted by the Commission on behalf of a cargo ship, the Commission issues an Exemption Certificate to the vessel.

(c) When an exemption under and in accordance with the provisions of the Safety Convention is granted by the Commission on behalf of a passenger ship, the

Commission certifies the necessary particulars to the United States Coast Guard, requesting that agency issue an Exemption Certificate to the vessel.

NOTE: A list of general exemptions is contained in 3.803.

### 3.50 Application for exceptional authority to communicate with amateur stations.

Upon proper application, including a supplemental statement as herein prescribed, the Commission may grant a license, modification of license, renewal of license, or special temporary authorization, permitting ship telegraph station on board a vessel not engaged in commerce or a vessel used, or intended to be used, for scientific research or expedition, to transmit by means of class A1 or A2 emission on authorized ship telegraph frequencies within the band 2000 kc/s to 4000 kc/s, for the purpose of exchanging radiotelegraph communications directly with licensed amateur stations on land in accordance with the provisions of 3.70: *Provided*, The applicant includes a supplemental statement satisfactorily showing that:

- (a) Unusual circumstances during the contemplated voyage(s) are anticipated which will make direct communication with amateur stations extremely beneficial to persons on board the vessel or to the person(s) responsible for the scientific research or expedition for which the vessel is used or is intended to be used;
- (b) The messages to be exchanged with amateur stations will contain no material relating directly or indirectly to a commercial transaction; and
- (c) Transmission for this purpose will be conducted on a secondary basis so as to avoid interference to commercial message traffic and other authorized emissions of stations operating in the maritime radiolocation service.

#### FEES

### 3.53 Payment of fees.

- (a) Each formal application for which a fee is prescribed in § 83.54 must be accompanied by a remittance of the full amount of the fee. In no case will an application for which a fee is prescribed be accepted for filing or processed prior to payment of the full amount specified. Applications for which no remittance is received, or for which an insufficient amount received, may be returned to the applicant.
- (b) Fee payments accompanying applications submitted to the Commission should be in the form of a check or money order payable to the Federal Communications Commission. The Commission will not be responsible for cash sent through the mails. All fees collected will be paid into the United States Treasury as miscellaneous receipts in accordance with the provisions of Title V of the Independent Offices Appropriation Act of 1952 (5 U.S.C. 140).
- (c) Receipts will be furnished upon request in the case of payments made in person, but no receipts will be issued for payments sent through the mails.
- (d) All fees will be charged irrespective of the

Commission's disposition of the application. Applications returned to applicants for additional information or corrections will not require an additional fee when resubmitted. Refunds will be made only in the case of payments in excess of the fee prescribed in this subpart.

### § 83.54 Schedule of fees.

(a) Except as provided in paragraph (b) of this section, applications filed on or after January 1, 1964, under this part shall be accompanied by the fees prescribed below:

All applications for radio station authorizations governed by this part.....	\$10
Applications for exemption from the radio equipment and operator requirements of Part II or Part III of Title III of the Communications Act of 1934, as amended, and/or the Safety of Life at Sea Convention, or application for modification or renewal of exemption previously granted thereunder.....	10
Application for exemption from the requirements of the Great Lakes Agreement, or modification or renewal thereof.....	10

(b) Fees are not required in the following instances:

- Applications filed pursuant to §§ 83.41 and 83.42 (informal applications for special temporary authority and applications in an emergency).
- Informal exemption applications filed pursuant to § 83.49 in cases of emergency.
- Applications for ship inspections pursuant to the Great Lakes Agreement, the Safety of Life at Sea Convention and Parts II and III, Title III, of the Communications Act of 1934, as amended.
- Applications filed by governmental entities.

## SUBPART C—STATION AUTHORIZATIONS

### § 83.62 Changes in equipment of licensed stations.

A licensed transmitter on board ship may be modified without making application to the Commission and without specific authorization from the Commission: *Provided*, (a) 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; (b) the change does not result in any impairment of the ability of the station licensee or the owner, operating agency, or shipmaster, to comply with any duty or obligation imposed by statute or international treaty or agreement for purposes of safety; (c) a description of the change is incorporated in the next application for renewal or modification of license; and (d) changes in type accepted and type approved equipment are made in accordance with the applicable provisions in Part 2 of this chapter.

### § 83.63 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. Licenses, issued in response to applications filed prior to and including June 1, 1963, for ship stations subject to § 83.139(a)(2), will normally be issued to expire at 3:00 a.m., e.s.t., four years from date of grant.

(b) Unless otherwise directed by the Commission, each license, modification of license or renewal of license issued solely on the basis of an application filed in accordance with § 83.42 shall become effective at the time when granted by the Commission and shall expire at a time not beyond the period of the emergency found by the Commission as provided by that section; *Provided*, That each renewal license granted under the provisions of that section prior to expiration of the license which it will renew, shall become effective only upon expiration of the latter license.

(c) A permit for the operation of a station on board a ship at sea, issued by cable, telegraph, or radio, as the result of an application therefor filed under the provisions of § 83.42, shall become effective at the time when granted by the Commission and shall be effective, in lieu of a station license until such ship first arrives at a port of the continental United States subsequent to the time of issuance of such permit.

(d) A license for a developmental station on board ship shall be issued specifically upon a temporary basis for a period beginning at 3:00 a.m. e.s.t. and not exceeding one year from the date on which it becomes effective.

(e) Each special temporary authorization granted on the basis of an application filed under the provisions of § 83.41 shall be issued specifically upon a temporary basis for a specified period of time designated in such authorization and not extending beyond expiration of the outstanding license of the particular station to which it applies or otherwise not exceeding the normal license term of stations of the particular class and in the particular service designated in such special temporary authorization.

(f) An interim ship station license granted under the provisions of § 83.64 shall become effective when issued and shall expire at 3:00 a.m., e.s.t., on a date six months from the date of grant, unless terminated earlier by the Commission pursuant to the provisions of § 83.64.

#### § 83.64 Interim ship station license.

Upon request made in accordance with § 83.35, an interim ship station license may be granted by the Commission at its main office in Washington, D.C., or at any of its Engineering Field Offices to authorize the use of a ship station for telephony and/or radar in conformity with the conditions and limitations of §§ 83.369 and 83.405(a) for an interim period of six months pending action by the Commission at Washington, D.C., on the related formal application for regular ship station license or modification of license filed as prescribed by §§ 83.35 and 83.36. Unless otherwise directed by the Commission in exceptional circumstances, an interim ship station license shall not be renewed and the authority conferred by such license may be terminated, without hearing, at any time prior to its normal expiration date if, in the discretion of the Commission, the need for such action arises.

#### § 83.66 One license for plurality of stations.

(a) Unless otherwise determined by the Commission in exceptional circumstances, one station license may be granted to authorize the use and operation of a designated maximum number of stations in the maritime mobile service—normally in multiples of ten stations—on board two or more ships of the United States which do not engage on voyages to any foreign country whenever telephony is the sole type of transmission authorized and the following license elements are the same for each station and the requirements specified in paragraph (b) of this section are fulfilled:

- (1) The station licensee;
- (2) The conditions which establish and maintain control of the station by the station licensee;
- (3) The class of station and nature of service;
- (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 on each radio-channel.

(b) The issuance of one station license as provided in paragraph (a) of this section shall be contingent upon compliance by the applicant and station licensee with the following requirements:

- (1) The licensee shall, at the time the application(s) for license is(are) filed and during the entire period in which the station license is valid, keep the Commission at Washington, D.C. and the Commission's Engineer in Charge of each radio district in which the stations are operated currently informed in writing of the names, registration number and respective classes of ships which are provided with stations authorized in accordance with the terms of the station license;

(2) The transmitting equipment is not installed on board ship for the purpose of complying with the provisions of any statute or international agreement requiring the installation or use of such equipment for safety purposes;

(3) The transmitting equipment shall not be authorized in any other instrument of authorization issued by the Commission.

#### § 83.67 Transfer or assignment of station authorization (see also § 83.37).

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

the public interest, and shall give its consent in writing.

### 3.68 Authority for survival craft stations.

Authority to operate a survival craft station will be granted only when the parent vessel is equipped with and authorized to operate a ship station.

### 3.69 Authority for transmission from cable buoy.

Provided the transmitting equipment to be used on a cable marker buoy is adequately described and the necessary technical data is supplied in an application for a station license for a ship station on board a cable buoy ship with which the buoy is associated, the use of such transmitting equipment for radiolocation in accordance with § 83.403 will be specifically authorized under the related ship station license.

### 3.70 Authority to communicate with amateur stations.

(a) A ship station shall not communicate with or transmit to any amateur station unless it is specifically authorized by the Commission to do so. When authorized to communicate with duly licensed amateur stations, a ship station shall conduct all operations for this purpose in conformity with the relevant terms of the station license and, except as otherwise permitted under the station license, shall for this purpose,

1) Transmit by means of A1 or A2 emission only on a frequency between 2000 kc/s and 25,000 kc/s authorized for such emission;

2) Not cause harmful interference to stations in the maritime mobile service nor to stations in the radiolocation service;

3) Not engage in any communications relating directly or indirectly to a commercial transaction.

(b) Communication with amateur stations of foreign countries shall be limited to communications with such amateur stations as are authorized to communicate with the ship station concerned; in addition, the nature of the communications exchanged with foreign amateur stations shall, in addition to the requirements of paragraph (a) of this section, be in accordance with the International Radio Regulations and in conformity with the regulations of the foreign administration(s) having jurisdiction over the amateur station(s) involved.

### 3.71 Limitations concerning stations of portable nature (other than marine-utility stations).

Advance notice in writing or by telegram shall be given to the Commission and to the Engineer in Charge of the radio district where the operation is to take place by the licensee of a station of a portable nature (other than a marine-utility station) authorized for use on board ship prior to any operation contemplated on board a particular ship. Such notice shall include the call sign of such station, name of licensee, approximate date(s) of intended operation on board designated ship, and the geographic area in which the ship is to be navigated. A station of a portable nature (other than a marine-utility station) authorized

to be operated on board a ship or ships, shall not be retained on board any one ship during any continuous period exceeding three months without giving further notice to the Commission and to the Engineer in Charge of the radio district where the operation is to take place: *Provided*, That the foregoing requirements shall not apply to operation of a station of a portable nature on board small boats (tenders, dories, lifeboats, etc.), which are regularly associated with a parent ship, when such station is specifically identified in the license of such parent ship.

### § 83.72 Authority for ship-radar station.

Any license issued for a ship-radar station shall be subject to the condition that the station licensee in relation to the proper operation of the station in accordance with the radio law and rules and regulations of the Commission, will be represented on board the radar-equipped vessel by the person who at any given time occupies the position of master.

### § 83.73 Permanent discontinuance of station operation.

In case of permanent discontinuance of operation of a station on board ship in the maritime mobile service or the maritime radiodetermination service, the licensee of that station shall, as soon as possible, return the station license to the Secretary, Federal Communications Commission, Washington, D.C., 20554, and shall, as soon as possible, request by telegram or letter addressed to the Secretary that such license be cancelled. In the event, however, that such license is not available for this purpose, the licensee shall, by telegram or letter, inform the Secretary of that fact stating the reason why the license is not available, and shall request that the license be cancelled. If the station is within the United States, a copy of each telegram or letter sent to the Secretary pursuant to this section shall be forwarded at the same time to the Commission's Engineer in Charge of the radio district in which the station then is located.

### § 83.74 Assignment of call signs.

(a) Ship stations in the maritime mobile service other than those designated in paragraphs (b), (c), (d) and (e) of this section shall be assigned call signs consisting of four-letter combinations commencing with the letter "K" or the letter "W". (Examples: KBCD or WBDC.)

(b) Ship stations authorized to use telephony (except those specified in paragraph (c) of this section), but not authorized to use telegraphy except secondarily for purposes incidental to the use of telephony, located on board ships whose survival craft being carried, if any, are not authorized to operate radio transmitting equipment, shall be assigned call signs consisting of two-letter, four-digit combinations (the digits 0 and 1 may not immediately follow a letter) beginning with WA2000 and progressing numerically through WA9999 and beginning again with WB2000 and progressing thus through the "W" series of prefixes. In cases of ves-

§ 83.39 whenever such stations are easily identified by means other than call signs and their signal of identification or characteristics of emission are published, when required by international agreement, in appropriate international documents.

[§ 83.74(c) as amended eff. 12-17-65; IV(64)-5]

(d) Stations of lifeboats, liferafts and other survival craft carried aboard ships shall be assigned call signs consisting of the call sign that has been assigned, or that would be assigned, to the ship station located on board that particular parent ship, followed by two digits (the digits 0 and 1 may not immediately follow a letter). (Example: If the call sign that has been assigned, or would be assigned, to a ship station on board a parent ship is KBCD, the survival craft station shall be KBCD followed by two digits, such as KBCD 45.)

(e) Ship-radar stations shall be assigned call signs for administrative purposes only. Such stations located on board ships having a ship station licensed in the maritime mobile service shall be assigned the same call sign as that ship station. If in a particular case the ship has no ship station licensed in the maritime mobile service, the ship-radar station shall be assigned a call sign consisting of a two-letter, four-digit combination (the digits 0 and 1 may not immediately follow a letter) beginning with the letter "W". (Examples: If a ship station licensed in the maritime mobile service with call sign WA2000, or KBCD, or WBCD, the ship-radar station call sign shall be respectively, WA2000, or KBCD, or WBCD. If the ship has no station licensed in the maritime mobile service, the ship-radar station call sign shall be of the type WA2000.) In case of a ship having, or eligible for, signal letters assignable by the United States Treasury Department, the Commission may if it deems such action necessary or desirable, make exceptions to the foregoing provisions and assign a call sign of such character as is legally permissible and as it may deem appropriate in each particular case.

(f) Each station license issued to authorize the use and operation of one or more marine-utility stations shall designate a single call sign consisting of two letters (taken from the group KA through KZ) followed by four digits (the digits 0 and 1 may not immediately follow a letter).

#### § 83.75 Operation during emergency.

(a) The licensee of any ship station or developmental station in the maritime mobile service on board ship, 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 maritime mobile

service: *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., and to the Commission's Engineer in Charge of the 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 Engineer in Charge be notified immediately when such special use of the station is terminated: *And provided further*, That in no event shall any ship station or developmental station on board ship 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 for 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 governed by this part 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.

### SUBPART D—GENERAL STATION REQUIREMENTS

#### § 83.101 Inspection of Station.

(a) Pursuant to section 303(n) of the Communications Act, the radio installation on board any ship of United States registry shall be available for inspection by duly authorized representatives of the Commission at any reasonable time and at such frequent intervals as within the discretion of the Commission will insure compliance with applicable regulations, laws, and treaties.

(h) The governments or appropriate administrations of countries, where a ship equipped with a radio station calls, may require the production of the station license for examination. The operator of the station, or the person responsible for the station, must facilitate this examination. The station license must be available so that it can be produced without delay. When the license cannot be produced or when manifest irregularities are observed, governments or administrations may inspect the radio installation in order to satisfy themselves that the installation conforms to the conditions imposed by the International Radio Regulations.

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

(a) Except for certain stations to which paragraphs (b) or (c) of this section are applicable, the original

license for each station on board ship subject to this part shall be conspicuously posted at the principal location on board at which each such station is operated: *Provided*, That when a ship is fitted with two or more stations authorized by a single license document:

(1) The original license shall be conspicuously posted at the principal operating location of the compulsorily-provided station:

(2) If no station is compulsorily-provided, the original license shall be conspicuously posted at the principal operating location of any station authorized for telephony.

(b) With respect to stations of a portable nature, including marine utility stations but excluding stations authorized in accordance with § 83.39, where posting of a station license is impracticable, the requirement of paragraph (a) of this section shall not apply: *Provided*, That in lieu thereof the original station license or a photocopy thereof is retained on board the vessel (other than survival craft carried on board a parent ship) during the entire time the station is located thereon.

(c) A current license authorizing a plurality of stations, pursuant to § 83.39, 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: *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 principal transmitter operating position or posted adjacent thereto.

(d) Notwithstanding the provisions of paragraphs (a), (b), and (c) of this section, notification by telegram or by letter, in each case by the Secretary of the Commission, stating that the Commission has granted an appropriate station authorization, may be posted in lieu of such authorization if the latter has not yet been received by the station licensee or permittee: *Provided*, That as the result of an official inspection of the station by an authorized representative of the Commission the posting of such notification may not be accepted in lieu of the formal station authorization until additional information pertaining thereto, as may be deemed necessary by that representative for purposes of official inspection, has been obtained from the Commission at Washington, D.C.

【§ 83.102 (b) and (c) as amended eff. 12-17-65; IV (64)-5】

#### § 83.103 Location of station.

All components of a station on board ship subject to this part, including the antenna(s), antenna supporting

structures, and source(s) of power used to energize the station equipment, shall be located on board the vessel identified in the station license, even though the vessel be temporarily moored. For purposes of communication, no component of a ship station shall be connected by wire line directly or indirectly to any equipment, apparatus, or facilities which are not located entirely on board the vessel identified in the station license: *Provided*, That the limitations of this section shall not apply (a) when the station is being operated in an emergency under the provisions of § 83.75, or (b) when it is necessary, while the ship is temporarily moored, to energize one or more components of a main installation or an emergency installation by means of a source of power not located on board the ship, for the purpose of assuring compliance with any applicable safety radio requirement of law.

#### § 83.104 Operating controls.

(a) In each ship station subject to this part, the transmitting apparatus shall be so installed and protected that it is not capable of operation by other than duly authorized persons. Operating controls shall be installed at the principal operating position and each control point which are capable of:

- (1) Starting and discontinuing operation of the station;
- (2) Changing frequencies within the same characteristic portion of the spectrum when necessary.
- (3) Changing from transmission to reception and vice versa.

【§ 83.104(a) amended eff. 11-3-67; IV (64)-10】

(b) Every ship station using telegraphy for normal traffic shall be provided with a device permitting changeover from telegraph transmission to telegraph reception and vice versa without manual switching. In addition, these stations should be able to listen on the reception frequency during the course of periods of transmission.

(c) Every ship 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.

(d) Every ship 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.

(e) Each ship station using a multichannel installation for telegraphy (except equipment intended for use

only in emergencies on frequencies below 515 kc/s) 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 to any other operating radio channel for transmission or reception by means of telegraphy within:

(1) A period of five seconds if the particular radio channels are within the same characteristic portion of the spectrum; or

(2) A period of fifteen seconds if the particular radio channels are not within the same characteristic portion of the spectrum.

(f) Every ship station and marine-utility station using a multi-channel 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 to another operating radio-channel for transmission or reception by means of telephony within:

(1) A period of five seconds, when changing from the calling frequency to a working frequency and vice versa within the band 1600–4000 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 156–174 Mc/s.

(g) Whenever the same carrier frequency is used for radiotelephone transmission and reception, means shall be provided so that transmission may be either automatically "voice-controlled" or controlled manually by the person whose speech is being transmitted.

(h) (1) Subject to the provisions of subparagraph (2) of this paragraph, each ship station using telegraphy on frequencies within the band 405 kc/s to 535 kc/s must, with respect to the use of any transmitter capable of a plate input power in excess of 450 watts and completed in construction subsequent to January 1, 1952, be provided with an arrangement readily permitting the use of a plate input power for telegraphy which is not in excess of 200 watts. Each such transmitter shall be furnished with a durable nameplate

with the month and year of its completion permanently inscribed thereon.

(2) The requirement of subparagraph (1) of this paragraph shall not apply when there is available in the same station a duly authorized radiotelegraph transmitter capable of operation on the international calling frequency 500 kc/s and at least one working frequency within the band 405 kc/s to 485 kc/s, capable of being energized by a source of power other than an emergency power supply installed for compliance with applicable provisions of treaty or statute, and not capable of a plate input power in excess of 450 watts when operated on such frequencies.

(i) The frequency selector switch on transmitters employing single sideband shall automatically provide for A3H emission when the transmitter is operated on 2003 (in the Great Lakes area), 2182 or 2638 kc/s.

#### § 83.105 Required radio channels for telegraphy.

(a) Each ship station using telegraphy on frequencies within the band 405–535 kc/s shall be capable of transmitting and receiving classes A1 and A2 emission on the frequency 500 kc/s, and on at least two working frequencies within this band. When a radiotelegraph installation is compulsorily fitted for safety purposes, a fourth frequency within this band which is authorized specifically for direction finding must be provided also.

(b) Each ship station using telegraphy on frequencies within the band 90–160 kc/s shall be capable of transmitting and receiving class A1 emission on the frequency 143 kc/s, and on at least two additional frequencies within this band (except within the band 140–146 kc/s) which are authorized for working.

(c) Each ship station using telegraphy on the specific frequencies in the bands between 4000 and 27,500 kc/s authorized by the International Radio Regulations, Geneva, 1959, exclusively for the maritime mobile service shall, in each of the bands for which facilities are provided to carry on its service, be capable of transmitting and receiving class A1 emission on at least one



frequency authorized for calling and at least two frequencies authorized for working.

(d) Each ship station using, when in Region 2, telegraphy on frequencies within the band 2065–2107 kc/s shall be capable of transmitting and receiving class A1 emission on at least one frequency in this band authorized for working in addition to a frequency in this band authorized for calling.

#### § 83.106 Required frequencies for radiotelephony.

(a) Each ship radiotelephone station licensed to operate in the band 1605 to 3500 kc/s shall be able to transmit A3 or A3H emission and receive A3 emission on the carrier frequency 2182 kc/s, and, if used for other than safety communication, shall be capable also of transmitting A3 or A3H emission and receiving class A3 emission on at least two other frequencies within that band.

(b) Each ship radiotelephone station which operates in the band 156–174 Mc/s shall be able to transmit and receive on the frequencies 156.3 Mc/s and 156.8 Mc/s.

(c) The requirement contained in paragraph (b) of this section shall not be applicable when such station is equipped to operate on only one of the frequencies 156.35, 156.9, or 156.95 Mc/s.

(d) Upon the express condition that harmful interference shall not be caused to the service of any maritime mobile station which is operated in accordance with the provisions of paragraph (b) of this section, the requirement contained in paragraph (b) of this section shall not be applicable when a ship station is equipped to operate:

(1) On only one of the frequencies 157.2, 157.25, 157.3, 157.35, or 157.4 Mc/s; or

(2) On 156.65 Mc/s only, and the station is also capable of operation on the frequency 500 kc/s and two working frequencies in the band 415–515 kc/s, or the frequency 2182 kc/s and two working frequencies for telephony in the band 1605–3500 kc/s.

(e) The exception provided in subparagraph (2) of paragraph (d) of this section does not apply in the Great Lakes area.

(f) The requirement contained in paragraph (b) of this section shall not apply to any marine utility station authorized to operate with a transmitter plate power input of 3 watts or less upon the express condition that harmful interference shall not be caused to the service of any maritime mobile station which is operated in accordance with paragraph (b) of this section.

【§ 83.106(f) adopted eff. 8-9-66; IV (64)-7】

#### § 83.107 Antenna requirements.

(a) The antenna(s) of each public ship station and of each ship station compulsorily provided on board a vessel for safety purposes pursuant to statute or international agreement shall, insofar 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 ship station, or a marine-utility station on board ship, 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 when the vessel carrying the station is in a normal vertical plane: *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 other stations in the maritime mobile service.

(c) When a ship station is operating on any carrier frequency below 25 Mc/s authorized for radiotelephony and the effective operation of the antenna employed is not independent of a ground connection on the frequency in use, the radio station ground system of each such ship station for operation on such frequency shall consist of:

(1) An effective radio ground to the hull for a vessel having a metallic hull, or

(2) In the case of a vessel not having a metallic hull, the most effective radio ground practicable under the circumstances. Preferably the ground shall be to a bare plate or strips, or a combination thereof, of corrosion-resistant metal of at least 12 square feet in aggregate area affixed to the hull below the waterline.

**§ 83.108 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 interference 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.

**§ 83.110 Maintenance of transmitter power.**

(a) The actual power of each radio transmitter in a ship station shall, insofar as is practicable, be no 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) in a ship station 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.

**§ 83.111 Transmitter measurements.**

(a) The carrier frequencies of each transmitter shall be determined to be within the prescribed tolerance as follows:

- (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) When the manufacturer's rated power of a ship

transmitter is more than 120 percent of the maximum authorized power the actual power shall be determined as follows:

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

(c) A determination shall be made that each radio-telephone transmitter 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.

(d) The determinations required by paragraphs (a) and (c) of this section may be made at a test or service bench, provided the load conditions are equivalent to those of actual operation.

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

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

The radio equipment of each ship station, or marine-utility station, using telegraphy or telephony, 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. The technical arrangement of the station apparatus shall be such that the necessary reception of emissions, including in particular that necessary for compliance with the provisions of §§ 83.181 and 83.240, can be readily effected prior to the transmission of any signals or communications by the ship station on the associated transmitting frequency.

**§ 83.113 Installation of power source.**

The exact location and physical arrangement on board a vessel of any storage battery, or engine-driven generator and fuel tank, used as a source of power for any component of a licensed radio station subject to this part and located on board such vessel, and the method of ventilating the battery or engine compart-

ment, shall be in accordance with applicable rules or regulations promulgated by the United States Coast Guard. If the Commission finds that such rules or regulations are not complied with by a particular station of this category, an application for license or modification or renewal of license thereafter filed in behalf of that station may be designated by the Commission for hearing to determine whether or not the granting of such application would meet the public interest, convenience or necessity.

NOTE: Inquiries concerning applicable regulations of the Coast Guard may be addressed to The Commandant, United States Coast Guard, Washington, D.C., 20226, or to the nearest District Headquarters Office of the Coast Guard.

#### § 83.114 Clock required.

(a) Except as provided in §§ 83.468 and 83.497, each ship station which is licensed to operate on frequencies below 515 kc/s, shall be provided with a reliable clock equipped with a second hand, preferably a sweep second hand. This clock shall be securely mounted in such a position that the entire dial can be easily and accurately observed by the operator from his normal operating position, from the operating position at which he would ordinarily transmit the international radio-telegraph alarm signal by hand, and from the position used for testing the radio telegraph auto alarm (if installed) for response to signals from the testing device.

(b) Except as provided in §§ 83.468 and 83.497, each ship station which is licensed to operate on frequencies above 1500 kc/s, shall have available to the operator a reliable clock or timepiece, preferably equipped with a second hand.

【§ 83.114 amended eff. 10-25-66; IV (64)-8】

#### § 83.115 Retention 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.

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

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

(c) Ship station logs shall be fully completed at the end of each voyage and before the operator(s) (or other person(s) responsible under the applicable provisions of this part) leave the ship. The radio log currently in use shall be kept by the licensed operator(s) of the station or as otherwise authorized by the applicable provisions of this part, and during use shall be located in the principal radio operating room of the vessel. At the conclusion of each ocean voyage terminating at a port of the United States (includes Puerto Rico, and Virgin Islands), the original radio log (or a duplicate thereof) dating from the last departure of the vessel from a United States port shall be retained under proper custody on board the vessel for a sufficient period of time (not more than 24 hours) to be available for inspection by duly authorized representatives of the Commission. After retention on board the vessel as herein stipulated, the original log (and the duplicate log if provided) may be filed at an established shore office of the station licensee, and shall

be retained as stipulated by paragraph (a) of this section.

NOTE: Duplicate logs are not required by the provisions of this paragraph, unless the original log is removed prior to opportunity for official inspection.

(d) Logs of ships of the United States containing entries required to be made by reason of the Great Lakes Agreement or § 83.368(c) of this part shall be kept at the principal radiotelephone operating location while the vessel is being navigated. All entries in their original form required by said agreement or § 83.368(c) shall be retained on board the vessel for a period of not less than one month from the date of entry. After retention on board the vessel as herein stipulated, the entries shall be filed at a place where they will be readily available to an authorized representative of the Commission upon request, and shall be retained as stipulated by paragraph (a) of this section.

## SUBPART E—STANDARD TECHNICAL REQUIREMENTS

### § 83.131 Authorized frequency tolerance.

(a) Unless the particular instrument of authorization specifically provides otherwise, the frequency tolerances authorized for stations on board ships subject to this part shall be as prescribed in paragraphs (b) through (e) of this section.

(h) Authorized frequency tolerances for ship and survival craft stations operating on frequencies below 515 kc/s or within the frequency band 1600–27,500 kc/s:

Frequency ranges	Tolerance—parts in 10 <sup>6</sup> unless shown as cycles per second (c/s)
(1) From 100 to 515 kc/s (except for transmitters of the classes specified in (2) and (3) below)	1000
(2) From 100 to 515 kc/s; emergency transmitters only, the use of which is confined solely to safety communication as defined in § 83.6(a)	3000
(3) Survival craft stations on 500 kc/s	5000

Tolerance—parts in 10<sup>6</sup> unless shown as cycles per second (c/s)

#### Frequency ranges

(4) Ship stations from 1605 to 2070 kc/s and 2080 to 3500 kc/s:	
For other than A3A, A3H, and A3J emissions	200
For A3A, A3H, and A3J emissions	50 c/s
(5) Ship stations from 2070 to 2080 kc/s	50
(6) Survival craft stations on 2182 kc/s	200
(7) Stations when using frequencies within the band 4000 to 27,500 kc/s:	
Ship stations using A1 emission	200
Ship stations using A3A, A3B, A3H or A3J emission	50 c/s
Ship stations using other than A1, A3A, A3B, A3H or A3J emission	50
Survival craft stations on 8364 kc/s	200

c) Authorized frequency tolerances for ship and survival craft stations operating on frequencies above 27.5 Mc/s:

Frequency ranges	Tolerance parts in 10 <sup>6</sup>
(1) From 100 to 200 Mc/s except for 121.5 Mc/s <sup>1</sup>	20
(2) Survival craft stations on 121.5 Mc/s	50

<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 January 1, 1966. After that date a tolerance of 20 parts in 10<sup>6</sup> is applicable.

(d) For stations in the maritime radiodetermination service (other than ship radar stations) the authorized frequency tolerance shall be specified in the instrument of authorization.

(e) The frequency tolerance authorized for ship radar stations 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.

### § 83.132 Authorized classes of emission.

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

Frequency band	Classes of emission
(1) Stations using telegraphy:	
100 to 160 kc/s-----	A1.
160 to 515 kc/s-----	A1 and A2.
2065 to 2070 kc/s-----	A1: Survival craft stations may in addition use A2.
2080 to 27,500 kc/s-----	Do.
2070 to 2080 kc/s-----	Wide-band telegraphy, facsimile and special transmission systems. Manual International Morse code and telephony are excluded.
(2) Stations using telephony:	
For frequencies designated in § 83.351	
(a) (1):	
2182 and 2638 kc/s-----	A3 and A3H.
2003 kc/s on the Great Lakes.	Do.
All other frequencies-----	A3, A3A, A3H, and A3J.
For frequencies designated in § 83.351(a)	A3 until Jan. 1, 1974; A3A, A3B, A3H, and A3J.
(2).	
For frequencies designated in § 83.351(a)	A3A, A3H, and A3J.
(3).	
For frequencies designated in § 83.351	A3J.
(a) (4).	
121.5 Mc/s-----	A2.
156 to 174 Mc/s-----	F3.
(3) Ship-radar stations:	
Above 2400 Mc/s-----	P0.

(h) Authorization to use radiotelephone emission is construed to include the brief use of telegraphy (including keying only the modulating audio frequency), tone signals, and signaling 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.

#### § 83.133 Authorized bandwidth.

(a) Unless otherwise specified in the station license, ship stations shall use bandwidths not exceeding those set forth in this paragraph for the respective classes of emission authorized in § 83.132.

Class of emission	Emission designator	Authorized bandwidth (kc/s)
A1-----	0.16A1-----	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-----	36F3-----	40.0
P0-----	Variable <sup>1</sup> -----	Variable <sup>1</sup>
Wideband telegraphy, facsimile and special transmission systems.	-----do-----	Variable but not to exceed 5.0

<sup>1</sup> The emission designator and the authorized bandwidth will vary according to the specific values of controlling technical factors.

(b) When a specific emission designator shown in paragraph (a) of this section appears in a station

license, such designator specifies the corresponding authorized bandwidth for the frequency involved.

(c) Bandwidths in excess of those listed in paragraph (a) of this section, or bandwidths for other 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.

**§ 83.134 Transmitter power.**

(a) Unless specifically expressed otherwise, transmitter power is peak envelope power (see § 83.7) 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 telegraphy on frequencies below 27.5 Mc/s shall not exceed 8 kilowatts for passenger vessels of 5,000 gross tons and over, and 2 kilowatts for all other vessels.

(c) Transmitter power for telephony on frequencies below 27.5 Mc/s shall not be less than 15 watts. For A3 emission this value is for use of a class C plate or plate and screen-grid modulated final radio stage in the transmitter. Equivalent values for other classes of final amplifiers will be as specified in the station authorization.

(d) Other than for the frequencies specified in § 83.351(a) (4) and as may be specified in the specific limitations in § 83.354(a) (2), transmitter power for telephony on frequencies below 27.5 Mc/s shall not exceed the following values in watts:

Area	Frequency band	Type of communication	Transmitter power
Great Lakes area and Mississippi River north of Baton Rouge, La., and connecting inland waters.	2 to 27.5 Mc/s.	Any.....	150
Other than the above.....	2 to 4 Mc/s..	Ship to shore..	1 <sup>1</sup> 400
		Ship to ship...	150
		Any.....	1 <sup>3</sup> 1000
	4 to 27.5 Mc/s.		

<sup>1</sup> Except for distress calls and distress traffic, and urgency and safety signals and messages, the maximum power that may be used on 2182 kc/s is 150 watts.

<sup>2</sup> For passenger vessels of 5,000 gross tons and over this value is 1000 watts.

<sup>3</sup> For passenger vessels of 5,000 gross tons and over this value is 3000 watts.

(e) Transmitter power for frequencies specified in § 83.351(a) (4) shall not exceed 1000 watts.

(f) For ship stations (except marine-utility ship stations) using F3 emission on any authorized frequency, except 156.65 Mc/s, in the band 156 to 174 Mc/s, the transmitter power shall not exceed 100 watts in Regions 2 and 3, and 40 watts in Region 1. Transmitter power for use on 156.65 Mc/s shall not exceed 100 watts in the Great Lakes area, and 15 watts in other areas. Transmitter power for marine-utility ship stations in the band 156 to 174 Mc/s shall not exceed 10 watts.

[§ 83.134(d) amended eff. 8-9-66; (a) amended and (g) deleted eff. 8-1-66; IV(64)-7]

**§ 83.135 Suppression of interference from receiving apparatus.**

(a) The use or operation of any radio receiving system or apparatus on board a ship of the United States (excluding lifeboats and other survival craft) shall not, by reason of emission therefrom, cause harmful interference to any authorized maritime mobile or maritime radiodetermination service or impair the efficiency of any auto alarm or watch on any radiofrequency used for either of these services: *Provided*, That this regulation shall not prevent the use or operation of any radio receiving apparatus or system on board ship when the installation or use thereof is required by act of Congress or any treaty to which the United States is a party unless the Commission finds that the interfering emission from such apparatus or system is capable of:

(1) Creating an electromagnetic field, at a distance over sea water of one nautical mile from the receiver, in excess of the following value(s):

Frequency of interfering emission:	Field intensity in microvolts per meter
Below 30 Mc/s.....	0.1
30 to 100 Mc/s.....	.3
100 to 300 Mc/s.....	1.0
Over 300 Mc/s.....	3.0

(2) Delivering more than the following amounts of power, to an artificial antenna having electrical characteristics designated by the Commission as equivalent

to those of the average receiving antenna(s) used on shipboard:

<i>Frequency of interfering emission:</i>	<i>Power into artificial antenna in micromicrowatts</i>
Below 30 Mc/s.....	400
30 to 100 Mc/s.....	4,000
100 to 300 Mc/s.....	40,000
Above 300 Mc/s.....	400,000

(b) Any specifically identified type of radio receiving apparatus or system required to be installed or used on board a ship by act of Congress or any treaty to which the United States is a party shall be exempt from any subsequent finding by the Commission pursuant to paragraph (a) (1) and (2) of this section if the Commission, as a result of engineering measurements made relative to emission produced by such type of apparatus or system, finds that such emission, as developed on frequencies to which the provisions of paragraph (a) of this section apply under conditions equivalent to normal use or operation on board ship, is not in excess of the value(s) specified in paragraph (a) (1) and/or (2) of this section.

#### § 83.136 Spurious emission limitations.

(a) Spurious emissions originating in transmitters authorized under this part are subject to the limitations set forth in paragraph (b) of this section, which limitations shall be applicable in accordance with paragraphs (c), (d) and (e) of this section.

(b) 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, and 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.

(c) Except as outlined in paragraph (d) of this section, the requirements of paragraph (b) of this section shall be applicable as follows:

(1) To any radio transmitter for which type acceptance is requested.

(2) To radio transmitters when operating on any frequency assignment between 30 Mc/s and 500 Mc/s.

(3) To any radio transmitter when operating on any frequency below 30 Mc/s.

(d) The requirements of paragraph (b) of this section shall not apply to:

(1) Survival craft transmitters;

(2) Transmitters authorized in developmental station licenses;

(3) Radiotelegraph transmitters operating on any frequency assignment below 30 Mc/s which were:

(i) Authorized in a station license issued to the same licensee or for a station on board the same vessel prior to January 1, 1959; or (ii) formerly used in a U.S. Government or foreign station on board the same vessel prior to January 1, 1959;

(4) Other radio transmitters licensed for operation on any frequency assignment below 30 Mc/s prior to January 1, 1959, which are authorized in a station license issued to the same licensee or for a station on board the same vessel until they are authorized in a new or renewed station license issued in response to an application filed after June 1, 1963;

(5) Other radio transmitters leased for operation on board a vessel and licensed for operation on any frequency assignment below 30 Mc/s prior to January 1, 1959, which are subsequently leased by the same lessor for use by a station or stations on board another vessel or other vessels until they are authorized in a new or renewed station license issued in response to an application filed after June 1, 1963.

(e) When an emission outside of the authorized emission bandwidth causes harmful interference to an authorized service the Commission may require more attenuation of such emission than specified in paragraph (h) of this section.

**[§ 81.136(d)(3) as amended eff. 10-12-64; IV(64)-1]**

#### **§ 83.137 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 international 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 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) Single sideband and independent sideband transmitters shall automatically limit the peak envelope power to the authorized transmitter power.

(f) Radiotelephone transmitters shall automatically prevent modulation in excess of 100 percent when using A3 or F3 emissions. This requirement shall not apply to survival craft station transmitters or to transmitters not required to be type accepted or with a transmitter power not exceeding 3 watts. In the event the operation of any licensed radiotelephone transmitter causes harmful interference to any authorized radio service by reason of excessive modulation, the Commission may, in its discretion, require that the use of such transmitter be discontinued until it will automatically prevent modulation in excess of 100 percent.

#### **§ 83.138 Special requirements for ship radar transmitters.**

(a) Each radar transmitter authorized in a ship-radar station (other than in a developmental station) must be type-approved by the Commission, pursuant to the type approval procedure set forth in Part 2 of this chapter. In addition to meeting all other applicable requirements such transmitters shall comply with the following limitations and conditions:

(1) The design and construction of the radar trans-



mitter shall be such that, when properly installed, its use will not produce harmful interference to any other radiodetermination service or any maritime mobile service;

(2) The radar transmitter shall not have means available for any external adjustment which can result in a deviation from the terms of the station authorization or any deviation from the applicable technical requirements for ship-radar stations stipulated in this part.

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

(a) Each radiotelephone transmitter authorized in a ship station or marine-utility station (other than transmitters authorized solely for developmental stations) must be type accepted by the Commission.

(b) Each survival craft station transmitter which has not been type approved pursuant to § 83.469 or 83.472 shall be type accepted for licensing.

**§ 83.140 Type acceptance of equipment.**

(a) Any manufacturer of a radio transmitter intended for use or used in ship stations, marine utility stations, or survival craft stations may request type acceptance of such transmitters by following the type acceptance procedure set forth in Part 2 of this chapter: *Provided, however,* That the provisions of this section do not apply to transmitters provided for compliance with the radiotelegraph requirements of title III, part II of the Communications Act of 1934.

(b) Type acceptance of a radio transmitter may be requested also by an applicant for a station authorization by following the type acceptance procedure set forth in Part 2 of this chapter. Such transmitters, if type accepted, are not normally included in the Commission's "Radio Equipment List, Part C", but are individually identified on the station authorization.

**§ 83.141 Special requirements for survival craft stations.**

(a) Equipment provided for use in survival craft stations shall, if capable of transmitting on:

- (1) The frequency 500 kc/s, be able to use class A2 emission;
- (2) The frequency 2182 kc/s, be able to use class A3 emission;
- (3) The frequency 8364 kc/s, be able to use class A2 emission;
- (4) The frequency 121.5 Mc/s, be limited to class A2 emission.

(b) If a receiver is provided, it shall be capable of receiving the frequency and types of emission which the transmitter is capable of using: *Provided, That if*

the transmitter frequency is 8364 kc/s the receiver shall be capable of receiving A1 and A2 emission throughout the band 8320-8745 kc/s: *And further provided,* That if the transmitter frequency is 121.5 Mc/s, the receiver shall be capable of receiving A3 emission.

(c) Survival craft transmitters operating on the frequency 500 kc/s or on the frequency 8364 kc/s shall be capable of manual keying. If provisions are made for automatically transmitting the radiotelegraph alarm signal or the radiotelegraph distress signal, such provisions shall meet the requirements of § 83.557 (b) (4) (i), (ii), (v), and (vi).

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

(a) Any device for generating the radiotelephone alarm signal (as defined by § 83.245(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 mobile 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.

**SUBPART F—OPERATOR REQUIREMENTS**

**[Subpart F (§§ 83.151-83.158 deleted and new §§ 83.151-83.165 adopted) eff. 11-3-67; IV (64)-10]**

**§ 83.151 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.

TLT, Temporary limited 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.

### § 83.152 Operator required.

(a) Except as otherwise provided in § 83.164, the actual operation of transmitting apparatus in any radio station in the maritime mobile or maritime radio-determination service on board a ship of the United States shall be performed only by a person holding a commercial radio operator license or permit of the required class. The minimum class of radio operator authorization required for operation of each specific classification of station is set forth in this subpart; subject, however, to the provisions of §§ 83.160, 83.161, and 83.162.

(b) As used in this subpart, "radio officer" on a ship of the United States means a person holding at least a first- or second-class radiotelegraph operator license, as prescribed and issued by the Commission.

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

### § 83.153 Location of operator.

When an operator is required for the operation of a station subject to this part, such operator shall, whenever the transmitting apparatus is being operated, be on duty at the principal operating position or a control point of the station and, subject to the lawful authority of the master, shall be in charge of the station.

### § 83.155 Operator(s) required by Title III of Communications Act of 1934.

(a) Each passenger ship of the United States which in accordance with Part II of Title III of the Communications Act is equipped with a radiotelegraph station shall for safety purposes carry at least one radio officer holding a radiotelegraph first-class operator license, and in addition at least one radio officer holding a radiotelegraph first- or second-class operator license or a temporary limited radiotelegraph operator license: *Provided*, That the holder of a radiotelegraph second-class operator license or a temporary limited radiotelegraph operator license may not act as chief radio officer.

(b) Each cargo ship of the United States which in accordance with Part II of Title III of the Communications Act is equipped with a radiotelegraph station, which is not fitted with a radiotelegraph auto alarm in proper operating condition, shall for safety purposes carry at least two radio officers, each of whom shall hold a radiotelegraph first- or second-class operator license or a temporary limited radiotelegraph operator license: *Provided*, That the holder of a radiotelegraph first- or second-class operator license or a temporary limited radiotelegraph operator license may not act as chief radio officer until he has had at least 6 months satisfactory service in the aggregate as a qualified radiotelegraph operator in a station on board a ship or ships of the United States.

(c) Each cargo ship of the United States which in accordance with Part II of Title III of the Communications Act is equipped with a radiotelegraph station, which is fitted with a radiotelegraph auto alarm in proper operating condition, shall for safety purposes carry at least one radio officer holding a radiotelegraph first- or second-class operator license or a temporary limited radiotelegraph operator license, who has had at least 6 months' satisfactory service in the aggregate as a qualified radiotelegraph operator in a station on board a ship or ships of the United States.

(d) Each cargo ship of the United States which in accordance with Part II of Title III of the Communications Act is equipped with a radiotelephone station shall for safety purposes carry at least one qualified operator. Where the power of the station does not exceed 250 watts carrier power or 1,000 watts peak envelope power, such operator shall hold a radiotelephone third-class operator permit or higher class of operator authorization. Where the power of the station exceeds 250 watts carrier power or 1,000 watts peak envelope power, such operator shall, as a minimum, hold a radiotelephone second-class operator license.

(e) Each vessel of the United States transporting more than six passengers for hire, which in accordance with Part III of Title III of the Communications Act is equipped with a radiotelephone installation, shall for safety purposes carry at least one qualified operator. Where the power of the station does not exceed 250 watts carrier power or 1,000 watts peak envelope power, such operator shall hold a radiotelephone third-class operator permit or higher class of operator authorization. Where the power of the station exceeds 250 watts carrier power or 1,000 watts peak envelope power, such operator shall, as a minimum, hold a radiotelephone second-class operator license.

**§ 83.156 Operator(s) required by the Safety Convention.**

(a) Each ship of the United States which is not subject to Part II of Title III of the Communications Act but which in accordance with the radio provisions of the Safety Convention is equipped with a radiotelegraph station, shall for safety purposes carry at least the number of radio officers specified in subparagraphs (1) and (2) of this paragraph:

(1) If fitted with a radiotelegraph auto alarm in proper operating condition:

(i) Each cargo ship, and each passenger ship carrying or certificated to carry 250 passengers or less, or more than 250 passengers but engaged on a voyage of less than 16 hours duration between two consecutive ports, shall carry at least one radio officer holding a radiotelegraph first- or second-class operator license or a temporary limited radiotelegraph operator license; who has had at least 6 months' satisfactory service in the aggregate as a qualified radiotelegraph operator in a station on board a ship or ships of the United States;

(ii) Each passenger ship carrying or certificated to carry more than 250 passengers and engaged on a voyage exceeding 16 hours duration between two consecutive ports, shall carry at least two radio officers, each of whom shall hold a radiotelegraph first- and second-class operator license or a temporary limited radiotelegraph operator license: *Provided*, That the holder of a radiotelegraph second-class operator license or a temporary limited radiotelegraph operator license may not act as chief radio officer until he has had at least 6 months' satisfactory service in the aggregate as a qualified radiotelegraph operator in a station on board a ship or ships of the United States;

(2) If not fitted with a radiotelegraph auto alarm in proper operating condition:

(i) Each cargo ship shall carry at least two radio officers, each of whom shall hold a radiotelegraph first- or second-class operator license or a temporary limited radiotelegraph operator license: *Provided*, That the holder of a radiotelegraph first- or second-class operator license or a temporary limited radiotelegraph operator license may not act as chief radio officer until he has had at least 6 months' satisfactory service in the aggregate as a qualified radiotelegraph operator in a station on board a ship or ships of the United States;

(ii) Each passenger ship shall carry at least one radio officer holding a radiotelegraph first-class operator license, and in addition at least one radio officer holding a radiotelegraph first- or second-class operator license or a temporary limited radiotelegraph operator license: *Provided*, That the holder of a radiotele-

graph second-class operator license or a temporary limited radiotelegraph operator license may not act as chief radio officer.

(b) Each cargo ship of the United States which is not subject to Part II of Title III of the Communications Act but which in accordance with the radio provisions of the Safety Convention is equipped with a radiotelephone station, shall for safety purposes carry at least one qualified operator. Where the power of the station does not exceed 250 watts carrier power or 1,000 watts peak envelope power such operator shall hold a radiotelephone third-class operator permit or higher class of operator authorization. Where the power of the station exceeds 250 watts carrier power or 1,000 watts peak envelope power such operator shall, as a minimum, hold a radiotelephone second-class operator license.

**§ 83.157 Certified persons required by the Great Lakes Radio Agreement.**

(a) For the purpose of complying with Article 7, paragraph 1(a) of the Great Lakes Radio Agreement, there shall be on board each United States vessel while subject to said agreement, as an officer or member of the crew, at least one person whose qualifications for radiotelephone operation for safety purposes on the Great Lakes have been certified. Where the power of the station does not exceed 250 watts carrier power or 1,000 watts peak envelope power such certified person shall hold a radiotelephone third-class operator permit or higher class operator authorization. Where the power of the station exceeds 250 watts carrier power or 1,000 watts peak envelope power, such certified person shall, as a minimum, hold a radiotelephone second-class operator license.

(b) If the vessel is deprived of the services of the certified person referred to in paragraph (a) of this section without fault or collusion of the master, the vessel may, as a matter of temporary expediency, proceed on her voyage: *Provided*, That:

(1) The master shall exercise due diligence in an effort to obtain a qualified replacement before sailing, and failing that shall exercise due diligence to obtain a qualified replacement as soon as practicable;

(2) The qualified replacement is made at the destination on the Great Lakes of the vessel before proceeding on another voyage; and

(3) In addition to the foregoing, the master shall, within 12 hours after the time of arrival of the vessel at the destination, mail to the Secretary, Federal Communications Commission, Washington, D.C. 20554, an explanation in writing of the full particulars in the matter, including the date the master became aware

of the unavailability of the certified person, the scheduled and the actual sailing time of the vessel without a certified person on board, a specific description of his efforts to secure at least one qualified replacement before sailing; and in the case of a vessel whose destination is on the Great Lakes, a statement that a qualified replacement has been or will be secured before the ship again leaves such port.

**§ 83.159 Operator requirements for noncompulsory stations.**

<i>Description of station</i>	<i>Minimum operator authorization</i>
Public ship telegraph, all categories----	T-2 or TLT
Limited ship telegraph-----	T-3
Public or limited ship telephone, more than 250 watts carrier power or 1,000 watts peak envelope power-----	P-2
Public or limited ship telephone, not more than 250 watts carrier power or 1,000 watts peak envelope power-----	P-3
Public or limited ship telephone, not more than 100 watts carrier power or 400 watts peak envelope power-----	RP
Marine utility ship-----	RP
Ship radiolocation-test, using radar only -----	P-2, with ship-radar endorsement.

**§ 83.160 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 operations;

(2) The operation of the transmitter shall require only the use of simple external switching devices, excluding all manual adjustments of frequency determining elements, and the stability of the frequencies shall be maintained by the transmitter itself within the limits of tolerance specified by § 83.131 or the station license.

**§ 83.161 Control by operator.**

(a) When the station is a ship station used for telephony, the operator may, if authorized by the station licensee or the master (the latter acting in this respect as the station licensee's agent), permit an unlicensed person to speak into a station microphone: *Provided, That* the operator shall continue to exer-

cise his control so as to ensure operation of the station in compliance with the radio law and the rules and regulations of the Commission.

(b) For the purpose of paragraph (a) of this section, any microphone, without regard to its location on board ship, may be construed to be a station microphone when it is electrically connected to the modulating system of the radiotelephone transmitting apparatus.

(c) 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.

**§ 83.162 Adjustment of transmitting apparatus.**

Notwithstanding any other provisions of this subpart (except § 83.164 (a) (2) and (b), which has specific applicability to ship radar stations, and to survival craft stations), 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 operator license or a temporary limited radiotelegraph operator license, 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 or a temporary limited radiotelegraph operator license, shall perform such functions at radiotelegraph stations transmitting by any type of the Morse code.

**§ 83.164 Waivers of operator requirement.**

(a) (1) No radio operator license is required for the operation on board ship, during the course of normal rendition of service, of a ship radar station: *Provided, That* the following conditions are met or provided for by the licensee of the station:

(i) The radar equipment shall employ as its frequency determining element a nontunable, pulse-type magnetron;

(ii) The radar equipment shall be capable of being operated during the course of normal rendition of service in accordance with the radio law and the rules and regulations of the Commission by means of exclusively external controls;

(2) All adjustments or tests during or coincident with the installation, servicing, or maintenance of the

equipment while it is radiating energy must be performed by or under the immediate supervision and responsibility of a person holding a temporary limited radiotelegraph operator license or a first- or second-class commercial radio operator license, radiotelephone or radiotelegraph, containing a ship-radar endorsement, who shall be responsible for the proper functioning of the equipment in accordance with the radio law and the Commission's rules and regulations and for the avoidance and prevention of harmful interference from improper transmitter external effects: *Provided, however*, That nothing in this subparagraph shall be construed to prevent persons not holding such licenses, or not holding such licenses so endorsed, from making replacements of fuses or of receiving-type tubes.

(b) No radio operator authorization is required for the operation of a survival craft station while it is being used solely for survival purposes.

#### § 83.165 Posting of operator authorization.

(a) Except as provided in paragraph (b) of this section, when an operator is required for the operation of a station subject to this part, the original authorization of each such operator while he is employed or designated as radio operator of the station shall be posted in a conspicuous place at the principal location on board ship at which the station is operated.

(b) An operator who holds a Restricted Radiotelephone Operator Permit or a valid license verification card (FCC Form 758-F) attesting to the existence of a commercial radio operator license of the diploma type, may, in lieu of posting, have such permit or verification card in his personal possession immediately available for inspection upon request by a Commercial representative when operating the following:

(1) A station which is not required to be installed on the vessel by reason of statute or treaty to which the United States is a party;

(2) Any class of ship station when the operator is on board solely for the purpose of servicing the radio equipment;

(3) A station of a portable nature.

**[Subpart F (§§ 83.151-83.158 deleted and new §§ 83.151-83.165 adopted) eff. 11-3-67; IV (64)-10]**

### SUBPART G—GENERAL OPERATING REQUIREMENTS

#### § 83.171 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.

#### § 83.173 Authority of the master.

(a) Except as may be regulated by law or international agreement or by the rules of the Commission, the service of each station on board ship shall at all times be under the supreme control of the master, who shall require that each operator of such station comply with the International Radio Regulations in force and that the ship station for which the operator is responsible is used, at all times, in accordance with those regulations.

(b) However, during any period in which the Department of Defense lawfully may exercise and is in fact lawfully exercising emergency controls over United States merchant shipping, no provisions of the Commission's rules and regulations shall prevent the master of any ship of the United States from taking any action whatsoever in regard to the radio installation, the operators, the transmission and receipt of messages, and the radio service of the ship whenever in his discretion such action is necessary to carry out instructions of the Department of Defense.

#### § 83.174 Secrecy of communication.

The master or the person responsible, as well as all persons who may have knowledge of the text or even of the existence of the radio communications transmitted or received by a station on board ship or of any information whatever obtained by means of the radio-communication 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; also Article 17 of the International Radio Regulations, Geneva, 1959.

#### § 83.175 Intercommunication in mobile service.

Each ship station in the maritime mobile service at sea shall, within the scope of its normal operations, be bound to exchange radio communications or signals with any other ship station or aircraft station in the maritime mobile service at sea or with any public coast station in the maritime mobile service: *Provided*, That such exchange of radio communications shall be without distinction as to radio systems or instruments adopted by each station.

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

Ship stations in the maritime mobile service shall observe at all times the priority of communications

set forth in § 83.177; 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.

**§ 83.177 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.

(2) Communications preceded by the international radiotelegraph urgency signal.

(3) Communications preceded by the international radiotelegraph safety signal.

(4) Communications relative to radio direction-finding bearings.

(5) Communications relative to the navigation and safe movement of aircraft.

(6) Communications relative to the navigation, movements, and needs of ships; including weather observation messages destined for an official meteorological service.

(7) Government communications for which priority right has been claimed.

(8) Service communications relating to the working of the radio-communication service or to communications previously transmitted.

(9) All other communications.

(b) The order of priority of radiotelephone 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 radiotelephony),<sup>1</sup> the international radiotelephone alarm signal,<sup>2</sup> distress messages, and distress traffic.

(2) Communications preceded by the international radiotelephone urgency signal, or known to the station licensee or his agent to consist of one or more urgent messages concerning the safety of a ship, aircraft, or other mobile unit or of some person on board or within sight of the ship, aircraft, or mobile unit.

(3) Communications preceded by the international radiotelephone safety signal, or known to the station licensee or his agent to consist of one or more messages concerning the safety of navigation or important meteorological warnings.

(4) Communications known by the station licensee

<sup>1</sup> See § 83.234 for definition of this signal.

<sup>2</sup> See § 83.245 for definition of this signal.

or his agent to consist of one or more messages relative to the navigation, movements, and needs of ships; including weather observation messages destined for an official meteorological service.

(5) Government communications for which priority right has been claimed.

(6) All other communications.

**§ 83.178 Unauthorized transmissions.**

Stations subject to this part shall not:

(a) Engage in superfluous radiocommunication;

(b) Use selective calling on 2182 kc/s or 156.8 Mc/s;

(c) When using telephony, transmit a general call or transmit signals or communications not addressed to a particular station or stations: *Provided*, That this provision is not applicable to the transmission of distress, alarm, urgency, or safety signals, or to messages preceded by one of these signals;

(d) When using telegraphy, transmit a general call or transmit signals or communications not addressed to a particular station or stations, unless the transmission is preceded by CQ or CP in accordance with the International Radio Regulations, or by distress, alarm, urgency, or safety signals.

**§ 83.179 Control by coast or government station.**

When communicating with a coast station or any government station in the maritime mobile service, ship stations shall, except when transmitting distress signals or controlling distress traffic, comply with instructions given by the coast station or government station relative to the order and time of transmission, to the choice of authorized frequency, to the suspension of communication, and to the permissible type of message traffic that may be transmitted or received by the particular coast station or government station. This provision, however, does not apply in the event of distress, either actual or impending.

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

Unless provided otherwise in this part, or in the particular station authorization, each radio-channel authorized for use by a station on board ship 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 respective frequency assignment in order to minimize interference and obtain the most effective use of the authorized radio-channels.

**§ 83.181 Prevention of interference.**

(a) From the standpoint of interference the operation of a ship radio station (including receiving equipment, auto-alarm, and direction-finder) required by law to be installed on board a vessel for safety purposes, shall have priority over the operation of any other radio apparatus on board the same vessel.

(b) Before commencing transmission (other than signals of distress) a ship station shall, insofar as is practicable, make sure that it will not cause interference to communications in the maritime mobile

service being carried on within its range. For this purpose, the operator attending the station shall, before commencing transmission, use the necessary receiving installation to listen on the appropriate frequency or frequencies. If interference is likely, the station shall wait until the existing communications, which it may disturb, have been concluded; with due regard, nevertheless, for the priority of communications designated in § 83.177.

(c) Whenever a radiocommunication in the maritime mobile service is already in progress between two mobile stations or between a mobile station and a coast station and it appears to be interfered with by a subsequent transmission from another mobile station, the latter must cease transmitting at the first request of either of the other two, except as priority may be otherwise determined by § 83.177. The station requesting this cessation must indicate the approximate length of the wait imposed upon the mobile station whose transmission is suspended.

(d) Except in cases of distress, communications between ship stations or between ship and aircraft stations must not interfere with the work of public coast stations. When this work is thus interfered with, the ship or aircraft station which causes it must stop transmitting or change frequency upon the first request of the coast station concerned.

(e) Ship stations when operating on a frequency below 3500 kilocycles or above 30 Mc/s shall not carry on, or attempt to carry on, communication with any station which, under the currently prevailing conditions of transmission or reception, is not within reliable communication range of the ship station: *Provided*, That this provision shall not apply in event of distress, either actual or impending.

#### § 83.182 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 as soon as the emergency is terminated.

#### § 83.183 Hours of service of ship stations.

(a) Ship stations whose service is not continuous may not close before:

(1) Finishing all operations resulting from a distress call, or urgency or safety signal;

(2) Exchanging, so far as practicable and within the scope of their normal operation, all traffic originating in or destined for public coast stations situated within their range and mobile stations which, being within their range, have indicated their presence before the actual cessation of communication.

#### § 83.184 Maintenance of station log.

(a) Each station on board ship subject to this part which is required, under the provisions of this part

pertaining to the particular class of station, to keep a radio station log, shall in addition, comply with the applicable provisions of paragraphs (b) and (c) of this section; the station licensee and the licensed radio operator (when a licensed radio operator is required) in charge of the station shall be responsible for compliance with this section.

(b) The log shall be kept in an orderly manner, in useable form, and in such detail that the information required for the particular class of station concerned is readily available. Key letters or abbreviations may be used if their proper meaning or explanation is contained elsewhere in the same log.

(c) The station log or any portion thereof shall not be erased, obliterated, or wilfully destroyed within the period of retention required by § 83.115. However, during this period any necessary correction may be made of such log but only by the person originating the entry and that person shall strike out the erroneous portion, initial the correction made, and indicate the date of correction.

### SUBPART H—WATCHES AND AUTO ALARMS FOR SAFETY PURPOSES

#### § 83.201 Watch required during silence periods.

(a) All ship stations employing telegraphy and normally keeping watch on frequencies in the authorized bands between 405 and 535 kc/s shall, during their hours of service, take the necessary measures to insure an efficient watch by a duly licensed radiotelegraph operator on the international distress frequency 500 kc/s for three minutes twice each hour, beginning at x h. 15 and x h. 45, Greenwich mean time (GMT). For this purpose, either headphones or a loudspeaker may be used, on condition that use of the loudspeaker is no less effective than use of headphones. While maintaining this watch, the operator shall not use or operate any radio equipment (such as, for examples, broadcast receivers, or amateur transmitters or receivers) not actually required for maritime mobile service.

(b) When in Regions 1 and 3 (except in the territorial waters of Japan and the Philippines) all ship stations employing telephony and normally keeping watch on frequencies in the authorized band between 1605 and 2850 kc/s shall, during their hours of service, and as far as possible, take steps to keep watch on the international distress frequency 2182 kc/s for 3 minutes twice each hour beginning at x h. 00 and x h. 30, Greenwich mean time.

#### § 83.202 Watch required on vessels subject to the Communications Act.

(a) Each ship of the United States which is equipped with a radiotelegraph station for compliance with part II of title III of the Communications Act shall, while being navigated in the open sea outside of a harbor or port, keep a continuous and efficient watch on 500 kc/s by means of radio officers: *Provided, how-*

ever, That in lieu thereof on a cargo ship equipped with a radiotelegraph auto alarm in proper operating condition an efficient watch on 500 kc/s shall be maintained by means of a radio officer for at least 8 hours per day in the aggregate, i.e., for at least one-third of each day or portion of each day that the vessel is navigated in the open sea outside of a harbor or port.

(b) Each cargo ship of the United States which is equipped with a radio-telephone station for compliance with part II of title III of the Communications Act shall, while being navigated in the open sea outside of a harbor or port, keep a continuous and efficient watch on 2182 kc/s in the room from which the vessel is normally steered while at sea, whenever such station is not being used for authorized traffic. Such watch shall be maintained by at least one officer or member of the crew of the vessel who has been designated by the master to do so. The person designated by the master may simultaneously perform other duties relating to the operation or navigation of the vessel, provided such other duties do not interfere with the effectiveness of the watch.

(c) Each vessel of the United States transporting more than six passengers for hire, which is equipped with a radio-telephone installation for compliance with part III of title III of the Communications Act shall, while being navigated in the open sea or any tidewater within the jurisdiction of the United States adjacent or contiguous to the open sea, keep a continuous and efficient watch on 2182 kc/s in the case of an installation operating in the 1605-3500 kc/s band, or on 156.8 Mc/s in the case of an installation operating in the 156-174 Mc/s band, whenever such installation is not being used for authorized traffic. Such watch shall be maintained by at least one officer or member of the crew of the vessel who has been designated by the master to do so. The person designated by the master may simultaneously perform other duties relating to the operation or navigation of the vessel, provided such other duties do not interfere with the effectiveness of the watch.

**§ 83.203 Watch required on vessels subject only to the Safety Convention.**

(a) Each ship of the United States which is equipped with a radiotelegraph station for compliance with the Safety Convention, but which is not fitted with a radiotelegraph auto alarm in proper operating condition, shall while at sea keep a continuous and efficient watch on 500 kc/s by means of radio officers. If fitted with a radiotelegraph auto alarm in proper operating condition, such watch shall be kept while at sea as follows:

(1) Each cargo ship, and each passenger ship carrying or certificated to carry 250 passengers or less, or more than 250 passengers but engaged on a voyage of less than 16 hours duration between two consecutive ports, at least 8 hours watch a day in the aggregate;

(2) Each passenger ship carrying or certificated to carry more than 250 passengers and engaged on a voyage exceeding 16 hours duration between two consecu-

tive ports, at least 16 hours watch a day in the aggregate.

(b) Each cargo ship of the United States which is equipped with a radio-telephone station for compliance with the Safety Convention shall, while at sea, keep a continuous and efficient watch on 2182 kc/s in the manner prescribed by § 83.202(b).

**§ 83.204 Provisions governing radiotelegraph watch.**

(a) For the purpose of keeping the required radiotelegraph watch on 500 kc/s the radio officer shall use the main or reserve receiver, and either headphones or a loudspeaker.

(b) While keeping this watch, the radio officer shall not use or operate any radio equipment (such as, for examples, broadcast receivers or amateur transmitters or receivers) not actually required for maritime mobile service.

(c) During the period of this watch, the radio officer may temporarily interrupt the required watch on 500 kc/s while he is transmitting or receiving signals or messages to or from a station operating in the maritime mobile service, but only if it is not feasible to simultaneously handle such traffic and listen on 500 kc/s by split headphones or a loudspeaker. The watch on 500 kc/s shall, however, without exception be maintained by the radio officer during the silence periods.

**§ 83.205 Compulsory use of radiotelegraph auto alarm.**

The radiotelegraph auto alarm required to be fitted on board a cargo ship subject to the radiotelegraph provisions of part II of title III of the Communications Act or the Safety Convention and provided with but one radio officer, shall be in operation, connected to the main antenna and adjusted for optimum efficiency, at all times while the ship is being navigated in the open sea outside of a harbor or port when a radio officer, except under the circumstances as set forth in § 83.204(c), is not listening on the frequency 500 kc/s.

**§ 83.206 Watch required by the Great Lakes Radio Agreement.**

Each ship of the United States which is equipped with a radiotelephone installation for compliance with the Great Lakes Radio Agreement shall, while subject to said Agreement, keep a continuous and efficient watch on 2182 kc/s whenever such installation is not being used for authorized traffic on any frequency below 30 Mc/s. Such watch shall be maintained by at least one officer or member of the crew of the vessel who has been designated by the master to do so. The person designated by the master may simultaneously perform other duties relating to the operation or navigation of the vessel, provided such other duties do not interfere with the effectiveness of the watch.

**SUBPART I—GENERAL PURPOSE WATCHES**

**§ 83.221 Watch on 500 kc/s.**

Ship stations using frequencies in the authorized bands between 405 and 535 kc/s shall, during their



hours of service, remain on watch on the calling frequency 500 kc/s except when the operator is transmitting on 500 kc/s, operating the ship station equipment on any other frequency authorized for transmission or reception in the maritime mobile service (including maintenance of the watch on 143 kc/s as provided by § 83.222) if it is not possible for the operator to maintain at the same time, by any practicable means the watch for calls on 500 kc/s. The term "by any practicable means" as used herein shall be construed to include the use of a loudspeaker or a head receiver energized by an additional radio receiver (other than the receiver actually in use for non-watch purposes) which is adjusted or tuned for effective reception on the radio-channel of which 500 kc/s is the assigned frequency. The provisions of this section, however, shall not relieve the ship from complying with the requirements for a safety watch as prescribed in §§ 83.201, 83.202, and 83.203.

#### § 83.222 Watch on 143 kc/s.

On condition that compliance with the following requirements shall in no way interrupt or reduce the efficiency of the safety watch prescribed in §§ 83.201, 83.202 and 83.203, each ship station equipped for working by means of class A1 emission on frequencies within the band 90 to 160 kc/s shall, during its hours of service when not engaged in communication with another station of the maritime mobile service, normally keep watch for calls every hour on the frequency 143 kc/s for five minutes beginning at x h. 35, Greenwich mean time (G. M. T.).

#### § 83.223 Watch on 2182 kc/s.

(a) Each ship station on board a ship navigating the Great Lakes and licensed to transmit by telephony on one or more frequencies within the band 1605 to 3500 kc/s shall, during its hours of service for telephony, maintain an efficient watch for reception of A3 and A3H emissions on the authorized carrier frequency 2182 kc/s, whenever the station is not being used for transmission on that frequency or for communication on other frequencies.

(b) Except for stations on board vessels required by law to be fitted with radiotelegraph equipment, each ship station (in addition to those ship stations specified in paragraph (a) of this section) licensed to transmit by telephony on one or more frequencies within the band 1605 to 3500 kc/s shall, during its hours of service for telephony, maintain an efficient watch for the reception of A3 and A3H emissions on the authorized carrier frequency 2182 kc/s, whenever such station is not being used for transmission on that frequency or for communication on other frequencies. When the ship station is in Region 1 or 3, such watch shall, insofar as is possible, be maintained at least twice each hour for 3 minutes commencing at x h. 00 and x h. 30, Greenwich mean time.

## SUBPART J—DISTRESS, ALARM, URGENCY, AND SAFETY

### § 83.231 Applicable regulations.

In addition to the governing provisions of the International Radio Regulations, Geneva, 1959 (see Article 36 thereof) applicable to the transmission and interception of distress, alarm, urgency, and safety signals and messages, mobile stations which are subject to this part shall be governed by this subpart in cases of distress, alarm, urgency, or safety transmissions.

### § 83.232 Authority for distress transmission.

No provision of the International Radio Regulations prevents the use by a mobile station in distress of any means at its disposal to attract attention, make known its position, and obtain help. A distress call and message, however, shall be transmitted only on the authority of the master or person responsible for the mobile station. No person shall knowingly transmit, or cause to be transmitted, any false or fraudulent signal of distress or communication relating thereto.

### § 83.233 Frequencies for use in distress.

(a) In case of distress, mobile radiotelegraph stations provided with frequencies in the band between 405 and 535 kc/s shall use the international radiotelegraph distress frequency 500 kc/s, with maximum transmitter power obtainable, when requesting assistance from the maritime services; the class of emission to be used if possible shall be A2. Ship radiotelegraph stations which cannot transmit on 500 kc/s should use any other available frequency on which attention might be attracted.

(b) In case of distress, mobile radiotelephone stations provided with frequencies in the authorized bands between 1605 and 4000 kc/s shall use the international radiotelephone distress frequency 2182 kc/s, preferably with A3 or A3H emission, when requesting assistance from the maritime services. Ship radiotelephone stations which cannot transmit on 2182 kc/s should use any other available frequency on which attention might be attracted.

### § 83.234 Distress signals.

(a) The international radiotelegraph distress signal consists of the group "three dots, three dashes, three dots" (. . . — — — . . .), symbolized herein by SOS, transmitted as a single signal in which the dashes are slightly prolonged so as to be distinguished clearly from the dots.

(b) The international radiotelephone distress signal consists of the word MAYDAY, pronounced as the French expression "m'aider".

(c) These distress signals indicate that a mobile station is threatened by grave and imminent danger and requests immediate assistance.

**§ 83.235 Distress calls.**

(a) The distress call sent by radiotelegraphy consists of:

- (1) The distress signal SOS, sent three times;
- (2) The word DE;
- (3) The call sign of the mobile station in distress, sent three times.

(b) The distress call sent by radiotelephony consists of:

- (1) The distress signal MAYDAY spoken three times;
- (2) The words THIS IS;
- (3) The call sign (or name, if no call sign assigned) of the mobile station in distress, spoken three times.

(c) The distress call shall have absolute priority over all other transmissions. All stations which hear it shall immediately cease any transmission capable of interfering with the distress traffic and shall continue to listen on the frequency used for the emission of the distress call. This call shall not be addressed to a particular station and acknowledgment of receipt shall not be given before the distress message which follows it is sent.

**§ 83.236 Distress messages.**

(a) The radiotelegraph distress message consists of:

- (1) The distress signal SOS;
- (2) The name of the mobile station in distress;
- (3) Particulars of its position;
- (4) The nature of the distress;
- (5) The kind of assistance desired;
- (6) Any other information which might facilitate rescue.

(b) The radiotelephone distress message consists of:

- (1) The distress signal MAYDAY;
- (2) The name of the mobile station in distress;
- (3) Particulars of its position;
- (4) The nature of the distress;
- (5) The kind of assistance desired;
- (6) Any other information which might facilitate rescue (for example, the length, color, and type of vessel; number of persons on board, etc.).

(c) As a general rule, a ship shall signal its position in latitude and longitude (Greenwich), using figures for the degrees and minutes, together with one of the words NORTH or SOUTH and one of the words EAST or WEST. In radiotelegraphy, the signal . — . — . — shall be used to separate the degrees from the minutes. When practicable, the true bearing and distance in nautical miles from a known geographical position may be given.

**§ 83.237 Radiotelegraph distress call and message transmission procedure.**

(a) The radiotelegraph distress procedure shall normally consist of the following six steps; however, when time is vital, the second step of this procedure, or even the first and second steps, may be omitted. These two steps of the distress procedure may also be omitted in circumstances where transmission of the alarm signal is considered unnecessary:

- (1) The radiotelegraph alarm signal;
- (2) The distress call and an interval of two minutes;
- (3) The distress call;
- (4) The distress message;
- (5) Two dashes of ten to fifteen seconds each;
- (6) The call sign of the mobile station in distress.

(b) The radiotelegraph distress transmissions shall be sent by means of the International Morse Code at a speed not exceeding 16 words per minute nor less than 8 words per minute.

(c) The distress message, preceded by the distress call, shall be repeated at intervals, especially during the 500 kc/s international silence periods, until an answer is received. The radiotelegraph alarm signal may also be repeated, if necessary.

(d) The transmissions under paragraph (a) (5) and (6) of this section, which are to permit direction finding stations to determine the position of the station in distress may be repeated at frequent intervals if necessary.

(e) When the mobile station in distress receives no answer to a distress message transmitted on the distress frequency, the message may be repeated on any other available frequency on which attention might be attracted.

**§ 83.238 Radiotelephone distress call and message transmission procedure.**

(a) The radiotelephone distress procedure shall consist of:

- (1) The radiotelephone alarm signal (whenever possible);
- (2) The distress call;
- (3) The distress message.

(b) The radiotelephone distress transmissions shall be made slowly and distinctly, each word being clearly pronounced to facilitate transcription.

(c) After the transmission by radiotelephony of its distress message, the mobile station may be requested to transmit suitable signals followed by its call sign or name, to permit direction-finding stations to determine its position. This request may be repeated at frequent intervals if necessary.

(d) The distress message, preceded by the distress call, shall be repeated at intervals until an answer is received. This repetition shall be preceded by the radiotelephone alarm signal whenever possible.

(e) When the mobile station in distress receives no answer to a distress message transmitted on the distress frequency, the message may be repeated on any other available frequency on which attention might be attracted.

**§ 83.239 Acknowledgment of receipt of distress message.**

(a) Stations of the maritime mobile service which receive a distress message from a mobile station which is, beyond any possible doubt, in their vicinity, shall immediately acknowledge receipt. However, in areas where reliable communication with one or more coast

stations are practicable, ship stations may defer this acknowledgement for a short interval so that a coast station may acknowledge receipt.

(b) Stations of the maritime mobile service which receive a distress message from a mobile station which, beyond any possible doubt, is not in their vicinity, shall allow a short interval of time to elapse before acknowledging receipt of the message, in order to permit stations nearer to the mobile station in distress to acknowledge receipt without interference.

#### § 83.240 Form of acknowledgment.

(a) The acknowledgement of receipt of a distress message is transmitted, when radiotelegraphy is used, in the following form:

- (1) The call sign of the station sending the distress message, sent three times;
- (2) The word DE;
- (3) The call sign of the station acknowledging receipt, sent three times;
- (4) The group RRR;
- (5) The distress signal SOS

(h) The acknowledgment of receipt of a distress message is transmitted, when radiotelephony is used, in the following form:

- (1) The call sign or other identification of the station sending the distress message, spoken three times;
- (2) The words THIS IS;
- (3) The call sign or other identification of the station acknowledging receipt, spoken three times;
- (4) The word RECEIVED;
- (5) The distress signal MAYDAY.

#### § 83.241 Information furnished by acknowledging station.

(a) Every mobile station which acknowledges receipt of a distress message shall, on the order of the master or person responsible for the ship, aircraft, or other vehicle carrying such mobile station, transmit as soon as possible the following information in the order shown:

- (1) Its name;
- (2) Its position, in the form prescribed in § 83.236(c);
- (3) The speed at which it is proceeding towards, and the approximate time it will take to reach, the mobile station in distress.

(b) Before sending this message, the station shall ensure that it will not interfere with the emissions of other stations better situated to render immediate assistance to the station in distress.

#### § 83.242 Transmission of distress message by a station not itself in distress.

(a) A mobile station or a land station which learns that a mobile station is in distress shall transmit a distress message in any of the following cases:

- (1) When the station in distress is not itself in a position to transmit the distress message;
- (2) When the master or person responsible for the ship, aircraft, or other vehicle not in distress, or the

person responsible for the land station, considers that further help is necessary;

(3) When, although not in a position to render assistance, it has heard a distress message which has not been acknowledged. When a mobile station transmits a distress message under these conditions, it shall take all necessary steps to notify the authorities who may be able to render assistance.

(b) The transmission of a distress message under the conditions prescribed in paragraph (a) of this section shall be made on either or both of the international distress frequencies (500 kc/s radiotelegraph; 2182 kc/s radiotelephone) or on any other available frequency on which attention might be attracted.

(c) The transmission of the distress message shall always be preceded by the call indicated below, which shall itself be preceded whenever possible by the radiotelegraph or radiotelephone alarm signal. This call consists of:

- (1) When radiotelegraphy is used:
  - (i) the signal DDD SOS SOS SOS DDD;
  - (ii) The word DE;
  - (iii) The call sign of the transmitting station, sent three times.
- (2) When radiotelephony is used:
  - (i) The signal MAYDAY RELAY, spoken three times;
  - (ii) The words THIS IS;
  - (iii) The call sign or other identification of the transmitting station, spoken three times.

(d) When the radiotelegraph alarm signal is used, an interval of two minutes shall be allowed, whenever this is considered necessary, before the transmission of the call mentioned in subparagraph (c) (1) of this section.

#### § 83.243 Control of distress traffic.

(a) Distress traffic consists of all messages relating to the immediate assistance required by the mobile station in distress. In distress traffic, the distress signal shall be sent before the call and at the beginning of the preamble of any radiotelegram.

(b) The control of distress traffic is the responsibility of the mobile station in distress or of the station which, pursuant to § 83.242(a), has sent the distress message. These stations may, however, delegate the control of the distress traffic to another station.

(c) The station in distress or the station in control of distress traffic may impose silence either on all stations of the mobile service in the area or on any station which interferes with the distress traffic. It shall address these instructions "to all stations" or to one station only, according to circumstances. In either case, it shall use:

(1) In radiotelegraphy, the abbreviation QRT, followed by the distress signal SOS. The use of the signal QRT SOS shall be reserved for the mobile station in distress and for the station controlling distress traffic;

(2) In radiotelephony, the signal SEELONCE

**MAYDAY.** The use of this signal shall be reserved for the mobile station in distress and for the station controlling distress traffic.

(d) If it is believed to be essential, any station of the mobile service near the ship, aircraft, or other vehicle in distress, may also impose silence. It shall use for this purpose:

(1) In radiotelegraphy, the abbreviation QRT, followed by the word DISTRESS and its own call sign;

(2) In radiotelephony, the word SEELONCE, followed by the word DISTRESS and its own call sign or other identification.

**§ 83.244 Notification of resumption of normal working.**

(a) When distress traffic has ceased, or when silence is no longer necessary on a frequency which has been used for distress traffic, the station which has controlled this traffic shall transmit on that frequency a message addressed "to all stations" indicating that normal working may be resumed.

(1) In radiotelegraphy, this message consists of:

(i) The distress signal SOS;

(ii) The call "to all stations" (CQ), sent three times;

(iii) The word DE;

(iv) The call sign of the station sending the message;

(v) The time of handing in of the message;

(vi) The name and call sign of the mobile station which was in distress;

(vii) The service abbreviation QUM.

(2) In radiotelephony, this message consists of:

(i) The distress signal MAYDAY;

(ii) The call "to all stations", spoken three times;

(iii) The words THIS IS;

(iv) The call sign or other identification of the station sending the message;

(v) The time of handing in of the message;

(vi) The name and call sign of the mobile station which was in distress;

(vii) The words SEELONCE FEENEE.

(b) Until they receive the foregoing message indicating that normal working may be resumed, all stations which are aware of the distress traffic, and which are not taking part in it, are forbidden to transmit on the frequencies on which the distress traffic is taking place.

**§ 83.245 Radiotelegraph and radiotelephone alarm signals.**

(a) The international radiotelegraph alarm signal consists of a series of twelve dashes sent in one minute, the duration of each dash being four seconds and the duration of the interval between consecutive dashes one second. The purpose of this special signal is the actuation of automatic devices giving the alarm to attract the attention of the operator when there is no listening watch on the distress frequency.

(b) The international radiotelephone alarm signal consists of two substantially sinusoidal audio frequency tones transmitted alternately. One tone shall have a frequency of 2200 cycles per second and the

other a frequency of 1300 cycles per second, the duration of each tone being 250 milliseconds. When generated by automatic means, the radiotelephone alarm signal shall be transmitted continuously for a period of at least 30 seconds, but not exceeding one minute; when generated by other means, the signal shall be transmitted as continuously as practicable over a period of approximately one minute. The purpose of this special signal is to attract the attention of the person on watch or to actuate automatic devices giving the alarm.

**§ 83.246 Use of alarm signals.**

(a) The radiotelegraph or radiotelephone alarm signal, as appropriate, shall only be used to announce:

(1) That a distress call or message is about to follow;

(2) The transmission of an urgent cyclone warning. In this case the alarm signal may only be used by coast stations authorized by the Commission to do so; or

(3) The loss of a person or persons overboard. In this case the alarm signal may only be used when the assistance of other ships is required and cannot be satisfactorily obtained by the use of the urgency signal only, but the alarm signal shall not be repeated by other stations. The message shall be preceded by the urgency signal.

(b) In cases described in subparagraphs (2) and (3) of paragraph (a) of this section, the transmission of the warning or message by radiotelegraphy shall not begin until two minutes after the end of the radiotelegraph alarm signal.

**§ 83.247 Urgency signals.**

(a) The urgency signal indicates that the calling station has a very urgent message to transmit concerning the safety of a ship, aircraft, or other vehicle, or the safety of a person. The urgency signal shall be sent only on the authority of the master or person responsible for the mobile station.

(b) In radiotelegraphy, the urgency signal consists of three repetitions of the group XXX, sent with the individual letters of each group, and the successive groups clearly separated from each other. It shall be transmitted before the call.

(c) In radiotelephony, the urgency signal consists of the word PAN, spoken three times and transmitted before the call.

(d) The urgency signal shall have priority over all other communications, except distress. All mobile and land stations which hear it shall take care not to interfere with the transmission of the message which follows the urgency signal.

**§ 83.248 Urgency message.**

(a) The urgency signal and call, and the message following it, shall be sent on one of the international distress frequencies (500 kc/s radiotelegraph; 2182 kc/s radiotelephone). However, stations which cannot transmit on a distress frequency may use any other

available frequency on which attention might be attracted.

(b) Mobile stations which hear the urgency signal shall continue to listen for at least three minutes. At the end of this period, if no urgency message has been heard, they may resume their normal service. However, land and mobile stations which are in communication on frequencies other than those used for the transmission of the urgency signal and of the call which follows it may continue their normal work without interruption provided the urgency message is not addressed "to all stations" (CQ).

(c) When the urgency signal has been sent before transmitting a message "to all stations" (CQ) and which calls for action by the stations receiving the message, the station responsible for its transmission shall cancel it as soon as it knows that action is no longer necessary. This message of cancellation shall likewise be addressed "to all station" (CQ).

#### § 83.249 Safety signals.

(a) The safety signal indicates that the station is about to transmit a message concerning the safety of navigation or giving important meteorological warnings.

(b) In radiotelegraphy, the safety signal consists of three repetitions of the group TTT, sent with the individual letters of each group, and the successive groups clearly separated from each other. It shall be sent before the call.

(c) In radiotelephony, the safety signal consists of the word SECURITY, spoken three times and transmitted before the call.

(d) The safety signal and call shall be sent on one of the international distress frequencies (500 kc/s radiotelegraph; 2182 kc/s radiotelephone). However, stations which cannot transmit on a distress frequency may use any other available frequency on which attention might be attracted.

#### § 83.250 Safety message.

(a) The safety signal and call shall be followed by the safety message. Where practicable, the safety message should be sent on a working frequency, and a suitable announcement to this effect shall be made at the end of the call.

(b) Except for the cases mentioned in paragraph (c) of this section, the safety signal when sent on the frequency 500 kc/s shall be transmitted towards the end of the first available period of silence; the safety message shall be transmitted immediately after the period of silence.

(c) Messages containing meteorological warnings, or containing information concerning the presence of cyclones, dangerous ice, dangerous wrecks, or any other imminent danger to marine navigation, shall be preceded by the safety signal and transmitted with the least possible delay to other mobile stations in the vicinity, and to the appropriate authorities at the first point of the coast with which contact can be established.

(d) All stations hearing the safety signal shall listen to the safety message until they are satisfied that the message is of no concern to them. They shall not make any transmission likely to interfere with the message.

### SUBPART K—FOREIGN SHIP STATIONS IN UNITED STATES WATERS

#### § 83.261 Inspection of station.

The radio station on board any foreign ship within the territorial jurisdiction of the United States, which is subject to the provisions of any act, treaty, or convention binding on the United States, shall be available at any reasonable time for inspection by representatives of the Commission at such intervals as, within the discretion of the Commission, will insure compliance with the applicable rules, regulations, laws, and treaties.

#### § 83.262 Applicability of Part II of Title III of Communications Act.

Those provisions of part II of title III of the Communications Act which require an efficient radio station in operating condition in charge of and operated by one or more radio officers or operators, and with efficient radio direction finding apparatus, are applicable to a ship of any foreign country when such ship leaves or attempts to leave any harbor or port of the United States for a voyage in the open sea, except as otherwise provided by section 352(a) of the said Act.

#### § 83.263 Limitations on transmission.

(a) Sections 301 and 318 of the Communications Act, relative to station licenses and operator licenses, respectively, are not applicable to any person sending radiocommunications or signals on a foreign ship while the same is within the jurisdiction of the United States; however, such communications or signals shall be transmitted only in accordance with applicable rules of the Commission intended to prevent interference including, among others, the following subparagraphs:

(1) The frequency or frequencies and the class or classes of emission used shall be available for the operation being conducted pursuant to the allocation of frequencies to radio services and the use of classes of emission established by the International Radio Regulations and pursuant to the terms of all other applicable international treaties and agreements to which the United States is a party;

(2) The operation of the radio apparatus shall not cause interference with the normal communications of other radio services, and only the minimum power necessary for effective communication shall be used;

(3) The station shall comply with the applicable provisions of the International Radio Regulations and other applicable international treaties and agreements to which the United States is a party;

(4) The operation of transmitting apparatus employing B emission is prohibited in any harbor or port of

the United States, except that such emission may be used until January 1, 1966 for distress calls and distress traffic only.

(b) Any transmission by a station on board a foreign man-of-war shall, in addition to the provision of paragraph (a) of this section, be governed also by the following provisions:

(1) Transmission by radio from any foreign man-of-war while the same is within the territorial waters of the United States is prohibited unless authorized by appropriate United States authorities and carried on in conformity with the provisions of paragraph (a) of this section. Normally, a request from a foreign man-of-war to use its radio transmitting apparatus while in United States ports and territorial waters shall be made to one of the United States naval district commandants or, after arrival in port, to the senior United States Navy Officer present. When a Navy Officer is not present, request shall be made to the port authorities, or to the United States Navy at Washington, D.C.

NOTE: The headquarters of District Commandants concerned are located at Boston, New York, Philadelphia, Norfolk; Charleston, South Carolina; San Diego, San Francisco, Seattle; Pearl Harbor, Hawaii; and Balboa, Canal Zone. In addition to having senior naval officers stationed at these places, the Navy has officers performing various duties at practically all other important United States ports.

## SUBPART L—MESSAGE CHARGES

### § 83.271 Distress messages.

No charge shall be made by any ship or station in the 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.

### § 83.272 Danger messages.

No charge shall be made by any ship station or other 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), originating on a ship of the United States or of a foreign country.

### § 83.273 Tariff filing required.

No charge shall be made for the service of any station on board ship subject to this part 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.

### § 83.274 Responsibility for payment.

(a) Each ship station shall be responsible for the payment of all charges accruing to any other station(s) or facilities for the handling or forwarding of messages or communications transmitted by that station.

(b) The transmission by any ship station of information concerning dangers to navigation, made in compliance with the provisions of § 83.303(b), to any station which imposes a charge for the reception, relay,

or forwarding of the required information, shall be free of cost to the ship concerned and any communication charges incurred by the ship for transmission, relay, or forwarding of the information may be certified to the Commission for reimbursement out of moneys appropriated to the Commission for that purpose.

### § 83.275 Ship position reports.

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.

### § 83.276 Free safety service.

Notwithstanding any other provision of law, any ship station may render free service in connection with situations involving the safety of life and property, including hydrographic reports, weather reports, reports regarding aids to navigation and medical assistance to injured or sick persons on ships and aircraft at sea: *Provided*, That the Commission, from time to time under particular circumstances, may impose specific limitations on such free service to the extent that it finds desirable in the public interest.

### § 83.277 Free service for national defense.

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.

## SUBPART M—NATURE OF SERVICE PROVIDED BY SHIP STATIONS AND SHIPBOARD MARINE-UTILITY STATIONS

### § 83.301 Supplemental eligibility requirements.

(a) Subject to the basic eligibility requirements set forth in § 83.23, authorizations for limited ship stations, marine-utility stations, or public ship stations may be granted to any person, or state or local government subdivision; or any agency of the Federal Government which is subject to the provisions of section 301 of the Communications Act: *Provided*, That when

the availability of the frequency assignment requested, or any part thereof, is specifically dependent upon the activity and/or the routes of voyage of the vessel, the application shall clearly show eligibility of the vessel for such station authorization under the provisions of this part which govern the assignment of frequencies: *And provided further, That:*

(1) An applicant for an authorization to operate a public ship station must request a frequency assignment on which the transmission of public correspondence is not excluded by any of the provisions of this part (although additionally he may request any other frequency assignment).

(2) An applicant for an authorization to operate a limited ship station or a marine-utility station must request a frequency assignment on which the transmission of public correspondence is excluded.

#### § 83.302 Points of communication.

Subject to the conditions and limitations imposed by the terms of the particular station license or by applicable provisions of this part with respect to the use of particular radio-channels, limited ship stations, marine-utility stations on board ships, and public ship stations are authorized to communicate with any station in the maritime mobile service including such other classes of stations as may be appropriately authorized in accordance with the provisions of this part for such communication: *Provided, however,* That for purposes of public correspondence between ship and shore, public ship stations are authorized to communicate only with public coast stations and United States Government coast stations open to public correspondence.

#### § 83.303 Service requirements for all ship stations.

(a) Unless prohibited by the terms of the station license or by other sections of this part relative to the limited use of a specifically designated frequency, each ship station shall, within the scope of its normal operations and without discrimination, acknowledge all calls directed to it and receive from stations operating in the maritime mobile service, all messages and communications which are addressed to the ship or to any person or persons on board and which are for termination on such ship.

(b) The master of every ship, equipped with licensed radio transmitting apparatus capable of providing communication with other ships or with a coast station, on meeting with a direct danger to the navigation of other ships such as dangerous ice, a dangerous derelict, a tropical storm, or any other direct danger to navigation, or encountering sub-freezing air temperatures associated with gale force winds causing severe ice accretion on superstructures, or winds of force 10 or above on the Beaufort scale for which no storm warning has been received, shall cause to be transmitted, insofar as is possible, all pertinent information relating thereto to ships in the vicinity and to the appropriate authorities on land, provided that such procedure, in the discretion of the master, will not be

a repetition of action already taken for this purpose by another station. All radio messages transmitted pursuant to this paragraph shall be preceded by the safety signal.

(c) At the request of any station operating in the maritime mobile service, a ship station may, within the scope of its normal operation accept messages or communications as requested for retransmission to any other station in the maritime mobile service. Whenever such messages or communications have been received and acknowledged by a ship station for this purpose, it shall be incumbent upon that station to retransmit the message as directed, with the least delay possible.

#### § 83.304 Service requirements for public ship stations.

In addition to such messages as are necessary for compliance with § 83.303, 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 public ship station within the scope of its normal service, without discrimination and upon reasonable demand, shall provide, subject to the order of priority prescribed in § 83.177, a service of public correspondence for any person who, while on board in any status or capacity, requests the service covering any subject matter that legally may be transmitted by radio: *Provided, however,* That, unless specifically authorized by the Commission in individual cases in advance, this service shall not be authorized to be provided when the ship carrying the station is out of service as a ship.

#### § 83.305 Service of limited ship stations and marine-utility stations.

In addition to such messages as are necessary for compliance with § 83.303 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 ship station or a marine-utility station 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.

### SUBPART N—USE OF RADIOTELEGRAPHY

#### § 83.321 Authorized frequencies.

(a) The following frequencies are authorized for use by ship stations employing telegraphy for communication with ship or coast stations (public or limited):

(1) Stations assigned the frequency band 405–535 kc/s:

kc/s	kc/s
<sup>1</sup> 410	468
425	480
<sup>1</sup> 444	500 calling and distress
448 (region 2 only)	<sup>1</sup> 512 (regions 1 and 3 only)
454	

<sup>1</sup> Subject to the special conditions and limitations set forth in paragraph (b) of this section.

(2) Stations assigned the frequency band 90–160 kc/s:

kc/s	kc/s
143 calling	155
152	156
153	157
154	158

(b) (1) The frequency 444 kc/s is assignable exclusively for communication with United States Government stations; its use for any other communication (except distress) is not authorized: *Provided*, That harmful interference shall not be caused to the service of any coast station.

(2) In addition to the transmission of specific signals for purposes of radiolocation, the radio channel of which 410 kc/s is the assigned frequency may be used for communication by radiotelegraphy with direction finding stations in connection with established international operating procedure, relative to radiolocation by means of direction finding.

(3) In Regions 1 and 3 the frequency 512 kc/s may be used by ship stations:

(i) As a supplementary calling frequency when 500 kc/s is being used for distress purposes;

(ii) As a working frequency, except in those areas where it is in use as a supplementary calling frequency when 500 kc/s is being used for distress purposes.

#### § 83.322 Frequencies for use in distress.

(a) The international distress frequency is 500 kc/s; it is used as an assigned frequency for this purpose by ship, survival craft, or aircraft stations using frequencies in the band 405–535 kc/s, when requesting assistance from the maritime services. It is used, preferably with A2 emission, for the distress call and distress traffic.

(b) The frequency 8364 kc/s is for use by survival craft stations equipped to transmit within the band 4000–27,500 kc/s and desiring to establish with stations of the maritime and aeronautical mobile services communications relating to search and rescue operations.

(c) The frequency 121.5 Mc/s (class A2 emission only) is available for radio beacon purposes to the survival craft stations of vessels documented by the United States Treasury Department, Bureau of Customs.

#### § 83.323 Frequencies for call and reply.

(a) (1) The frequency 500 kc/s is the general international calling frequency which shall be used by any ship station engaged in radiotelegraphy in the authorized band 405–535 kc/s, and by aircraft desiring to enter into communication with a station of the maritime mobile service using frequencies in this band;

(2) The frequency for replying to a call sent on the general calling frequency is 500 kc/s, except where the calling station requests that the reply be made on an authorized working frequency. In Region 2, and in other areas of heavy traffic, ship stations should request coast stations to answer on their normal working frequency;

(3) In order to facilitate the reception of distress

calls, all transmissions on the frequency 500 kc/s shall be reduced to a minimum.

(b) The frequency 143 kc/s is the international calling frequency in the maritime mobile service in the band 90–160 kc/s (class A1 emission only). The frequency for replying to a call sent on the frequency 143 kc/s is, for ship stations, 143 kc/s, the same as that of the call. (Coast stations reply on their normal working frequency in this band.) When a ship station which uses frequencies within the band 90–160 kc/s desires to establish communication with another station of the maritime mobile service, it shall call that station on the frequency 143 kc/s, unless the International List of Coast Stations provides otherwise. This frequency shall be used exclusively for individual calls and replies to such calls and for the transmission of signals preparatory to traffic.

(c) In Region 2, the frequency 2091 kc/s is the international calling frequency for ship stations using telegraphy within the band 2065–2107 kc/s. It shall be used for call, reply and signals preparatory to traffic by all ship stations using telegraphy to establish communication with other ship stations operating in the band 2065–2107 kc/s or with coast stations using telegraphy and operating in the band 2000–2850 kc/s: *Provided*, That transmission by ship stations for this purpose on any calling frequency within the band 2088.5–2093.5 kc/s is permissible as a practical operating procedure to minimize interference, in lieu of transmission on the frequency 2091 kc/s. The use of the frequency 2091 kc/s or any other calling frequency within the band 2088.5–2093.5 kc/s by ship stations for purposes other than those stipulated in this paragraph (except for transmitting distress traffic) is not authorized. A ship station, after establishing communications on a calling frequency within this band, shall change to an authorized working frequency for the transmission of traffic.

(d) Calling frequencies in the band 2 to 27.5 Mc/s for ship and aircraft stations are listed in Table 1b of § 83.701. Ship stations are authorized to use the calling frequencies corresponding to the symbols designated on the station license.

#### § 83.324 Frequencies for working.

(a) Each assigned frequency listed in § 83.321(a), and which is not identified therein with a specific use or function, is authorized as an assigned frequency for “working”.

(b) Ship and aircraft stations using telegraphy and working on frequencies within the band 415 to 490 kc/s shall use whenever practicable, an authorized working frequency of which 425, 448, 454, 468 or 480 kc/s is the assigned frequency. The frequency 448 kc/s may be used in Region 2 only.

(c) The calling channel of which 500 kc/s is the assigned frequency may be used for the transmission of distress, urgent, and safety messages; except for the applicable provisions of § 83.401 relative to radio-determination, any other use of this channel for working is prohibited.



(d) Insofar as practicable, ship stations shall use frequency assignments within the band 3 Mc/s to 27.5 Mc/s only when other frequency assignments will not provide effective communications.

(e) Working frequencies in the band 2 to 27.5 Mc/s for high traffic ships and aircraft are listed in Table 1a and for low traffic ships in Table 1c of § 83.801. Ship stations are authorized to use the working frequencies corresponding to the symbols designated on the station license. The frequencies for working in each band designated by the letter "A" or "B" (see § 83.801(h)) suffixed to the frequency column symbol are the primary frequencies to be used for working. The alternate frequency in each band may be used only when harmful interference to the ship's transmissions on the primary frequency is experienced or a coast station directs the ship station to use the alternate frequency. Frequencies in the band 2065 to 2107 kc/s are not available for assignment to aircraft.

(f) In addition to the frequency assignment designated for telegraphy in the license of a ship station, such station, when working by telegraphy with a coast station, may, on condition that its emission-bandwidth and frequency tolerance shall be within the respective limits thereof permitted for the coast station, transmit:

(1) On a telegraph working channel of a coast station within the band 110 to 130 kc/s (except within the band 140 kc/s to 146 kc/s) when directed to do so by the coast station for which the channel is authorized: *Provided*, Interference is not caused to the service of any land, fixed, broadcast, or radiolocation station: *And provided*, That the emission shall be class A1 only.

(2) On a telegraph working channel of a coast station within the band 415 to 490 kc/s when directed to do so by the coast station for which the channel is authorized.

(g) (1) In addition to use of the frequency assignment designated for telegraphy in the license of a ship station, such station when communicating by telegraphy with a mobile or land station of the United States Government may transmit on a government frequency assignment when authorized or directed to do so by the government station responsible or by the government department or agency for which use of such frequency assignment is authorized; on condition that the emission-bandwidth and frequency tolerance of the ship station shall be within the respective limits thereof required to be maintained by the government station. Under these circumstances, the ship station assigned frequency, the class of emission, and the permissible class of traffic shall be designated and controlled by the responsible government station, department, or agency: *Provided*, That on frequencies below 60 kc/s and within the bands 2000 to 2850 kc/s and 7000 to 25000 kc/s the emission shall be class A1 only.

(2) Frequencies assigned to government radio stations are assignable to non-Government ship radio stations for communication with other non-Government stations by telegraphy when such communication is necessary in connection with activities performed in

coordination with or in behalf of the Federal Government and where the Commission determines, after consultation with the appropriate government agency or agencies, that such assignment is necessary.

(h) The frequencies 2072.5 and 2077.5 kc/s are authorized for wide-band telegraphy, facsimile, and special transmission systems when designated in the ship station license.

#### § 83.325 Use of Morse Code required.

The signal code employed for telegraphy by stations in the maritime mobile service shall be the Morse Code signals specified in the Telegraph Regulations annexed to the International Telecommunication Convention, Geneva, 1959. However, for radiotelegraph communication of a special character, the use of other signals may be specifically authorized by the Commission in response to an appropriate application therefor.

#### § 83.326 Identification of stations.

(a) All radiotelegraph emissions of a ship station or a survival craft station shall be clearly identified by transmission therefrom of the official call letters assigned to that station for telegraphy by the Commission. These call letters shall be transmitted by telegraphy in accordance with § 83.325 and the procedure set forth in the International Radio Regulations and by means of the class of emission normally used by the station for telegraphy: *Provided*, That they shall be transmitted at intervals not exceeding 15 minutes whenever transmission is sustained for a period exceeding 15 minutes.

(b) The requirements of this section do not apply to survival craft stations when transmitting distress signals automatically or when operating on 121.5 Mc/s for radiobeacon purposes.

#### § 83.327 Procedure in testing.

(a) Ship stations and survival craft stations may conduct necessary tests on any assigned frequency. Every precaution must be taken to ensure that transmitter emissions of the station will not cause harmful interference. Radiation must be reduced to the lowest practicable value and if feasible shall be entirely suppressed. When radiation is necessary or unavoidable, the radiotelegraph testing procedure described in this paragraph shall be followed:

(1) The licensed radiotelegraph operator responsible for operation of the transmitting apparatus shall ascertain by careful listening that the test emissions will not be likely to interfere with transmissions in progress; if they are likely to interfere with the service of a coast station or aeronautical station in the vicinity of the ship station, the consent of the former station(s) must be obtained before the test emissions occur.

(2) The operator shall transmit the signal "IE" (two dots, space, one dot) on the test frequency as a warning that test emissions are about to be made on that frequency. When the frequency or frequencies of the test emission is/are within the frequency-band 405-535 kc/s, a listening watch shall be maintained on

500 kc/s by a licensed radiotelegraph operator at the station throughout the test period.

(3) If, as a result of transmitting the test signal "IE", any station indicates, by transmitting the signal "AS" (wait), that it anticipates harmful interference, testing shall be suspended. When transmission of "IE" is resumed and no response is observed, and careful listening indicates that harmful interference should not be caused, the operator shall proceed as set forth in subparagraph (4) of this paragraph.

(4) Test signals composed of a series of "VVV" having a duration of not more than ten seconds, followed by the call sign of the testing station shall be transmitted. The call sign shall be sent clearly and at relatively slow speed. This test transmission shall not be repeated until a period of at least one minute has elapsed: on the frequency 500 kc/s in a region of heavy traffic, a period of at least five minutes shall elapse before the test transmission is repeated.

(h) When testing is conducted on the frequency 500 kc/s, no tests shall be conducted during the 500 kc/s silence periods. Care must be exercised not to so prolong and space the dash portion of the "VVV" series as to form the alarm signal.

#### § 83.328 Radiotelegraph operating procedure.

(a) Except for the transmission of distress or urgency signals, all transmissions from stations on board ship must cease within the band 485-515 kc/s during each 500 kilocycles silence period, i.e., for three minutes twice an hour beginning at x h. 15 and x h. 45, Greenwich mean time.

(b) In order to facilitate radiotelegraph communication in the maritime mobile service, all ship stations transmitting by means of telegraphy shall, whenever practicable, use the service abbreviations ("Q" signals) listed in Appendix 13 to the International Radio Regulations, Geneva, 1959.

(c) In addition to compliance with all applicable sections of this part, the operation of ship stations using telegraphy for call, reply, and the transmission of message traffic shall, in particular, comply with all applicable provisions of Articles 29, 30, 31, 37, 38, and 39 of the International Radio Regulations, Geneva, 1959.

#### § 83.329 Station documents.

(a) The compulsorily fitted ship radiotelegraph station shall be provided with the following documents:

- (1) A valid station license;
- (2) The necessary operator license(s);
- (3) The station log required by this part for stations of this category;
- (4) The Alphabetical List of Call Signs of Stations used by the Maritime Mobile Service;
- (5) The List of Coast Stations;
- (6) The List of Ship Stations;
- (7) The List of Radiodetermination and Special Service Stations;
- (8) The International Radio Regulations, Geneva, 1959;

(9) Telegraph tariffs of the countries for which the station most frequently accepts radiotelegrams;

(10) Part 83 of this chapter.

(b) All ship stations on board ships not compulsorily fitted with a radiotelegraph installation, but using telegraphy, shall be provided with the documents prescribed by subparagraphs (1), (2), (3), (4), (5), (6), (8), (9), and (10) of paragraph (a) of this section.

(c) These documents shall be continuously and readily available to the licensed operator on duty during the hours of service of the station.

#### § 83.330 Station logs.

(a) (1) Each ship station authorized to use telegraphy on frequencies within the band 90 to 535 kc/s shall maintain an accurate radiotelegraph log. The first page of each portion of the log covering each voyage shall consist of a "title page" which, upon completion of all entries for the particular voyage, shall contain the following information:

- (i) Name of ship and call letters of ship station;
- (ii) Period of time covered by such portion of the log;
- (iii) Number of pages constituting such portion of the log;
- (iv) A statement as to whether or not such portion of the log contains distress entries; if so, the pages containing such entries shall be designated;
- (v) Operator's signature, mailing address, and radio operator license data (number, class, and date of issuance).

(2) In addition, the log shall be maintained as follows:

- (i) Each sheet of the log shall be numbered in sequence, for each voyage, and shall include the name of the vessel, official call letters of the ship station and the name of the operator on watch.
- (ii) The entry "on watch" shall be made by the operator beginning a watch, followed by his signature. The entry "off watch" shall be made by the operator being relieved or terminating a watch, followed by his signature. All log entries shall be currently completed at the end of each watch by the operator responsible for the entries. The use of initials or signs is not authorized in lieu of the operator's signature.

(3) During the period a watch is maintained by an operator, all calls transmitted to or from the ship station and all replies transmitted or received shall be entered, stating the time and frequencies, and the call letters of the station communicated with or heard. (If desired, the names of the stations or ships also may be entered.) In addition, a notation of any messages exchanged shall be entered stating the time, the frequency in kilocycles, and the call letters of the station(s) heard, or communicated with. (If desired, the names of the stations or ships also may be entered.) In so far as possible, a positive entry with respect to reception on 500 kc/s shall be made at least once in each 15 minutes. The entries required by subparagraph