

## Federal Communications Commission

## § 80.92

Commission's Rules must comply with the environmental processing rules set forth in §§ 1.1301–1.1319 of this chapter.

[53 FR 28225, July 27, 1988]

### OPERATING PROCEDURES—GENERAL

#### § 80.86 International regulations applicable.

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

#### § 80.87 Cooperative use of frequency assignments.

Each radio channel is available for use on a shared basis only and is not available for the exclusive use of any one station or station licensee. Station licensees must cooperate in the use of their respective frequency assignments in order to minimize interference and obtain the most effective use of the authorized radio channels.

#### § 80.88 Secrecy of communication.

The station licensee, the master of the ship, the responsible radio operators and any person who may have knowledge of the radio communications transmitted or received by a fixed, land, or mobile station subject to this part, or of any radio-communication service of such station, must observe the secrecy requirements of the Communications Act and the Radio Regulations. See sections 501, 502, and 705 of the Communications Act and Article 23 of the Radio Regulations.

#### § 80.89 Unauthorized transmissions.

Stations must not:

- (a) Engage in superfluous radio-communication.
- (b) Use telephony on 243 MHz.
- (c) Use selective calling on 2182 kHz or 156.800 MHz.
- (d) When using telephony, transmit signals or communications not addressed to a particular station or stations. This provision does not apply to the transmission of distress, alarm, urgency, or safety signals or messages, or to test transmissions.

(e) Transmit while on board vessels located on land unless authorized under a public coast station license. Vessels in the following situations are not considered to be on land for the purposes of this paragraph:

- (1) Vessels which are aground due to a distress situation;
  - (2) Vessels in drydock undergoing repairs; and
  - (3) State or local government vessels which are involved in search and rescue operations including related training exercises.
- (f) Transmit on frequencies or frequency bands not authorized on the current station license.

[51 FR 31213, Sept. 2, 1986, as amended at 52 FR 35244, Sept. 18, 1987; 62 FR 40304, July 28, 1997; 68 FR 46960, Aug. 7, 2003]

#### § 80.90 Suspension of transmission.

Transmission must be suspended immediately upon detection of a transmitter malfunction and must remain suspended until the malfunction is corrected, except for transmission concerning the immediate safety of life or property, in which case transmission must be suspended as soon as the emergency is terminated.

#### § 80.91 Order of priority of communications.

(a) All stations in the maritime mobile service and the maritime mobile-satellite service shall be capable of offering four levels of priority in the following order:

- (1) Distress calls, distress messages, and distress traffic.
- (2) Urgency communications.
- (3) Safety communications.
- (4) Other communications.

(b) In a fully automated system, where it is impracticable to offer all four levels of priority, category 1 shall receive priority until such time as intergovernmental agreements remove exemptions granted for such systems from offering the complete order of priority.

[68 FR 46960, Aug. 7, 2003]

#### § 80.92 Prevention of interference.

(a) The station operator must determine that the frequency is not in use by monitoring the frequency before

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transmitting, except for transmission of signals of distress.

(b) When a radiocommunication causes interference to a communication which is already in progress, the interfering station must cease transmitting at the request of either party to the existing communication. As between nondistress traffic seeking to commence use of a frequency, the priority is established under §80.91.

(c) Except in cases of distress, communications between ship stations or between ship and aircraft stations must not interfere with public coast stations. The ship or aircraft stations which cause interference must stop transmitting or change frequency upon the first request of the affected coast station.

### § 80.93 Hours of service.

(a) *All stations.* All stations whose hours of service are not continuous must not suspend operation before having concluded all communication required in connection with a distress call or distress traffic.

(b) *Public coast stations.* (1) Each public coast station whose hours of service are not continuous must not suspend operation before having concluded all communication involving messages or calls originating in or destined to mobile stations within range and mobile stations which have indicated their presence.

(2) Unless otherwise authorized by the Commission upon adequate showing of need, each public coast station authorized to operate on frequencies in the 3000-23,000 kHz band must maintain continuous hours of service.

(c) *Compulsory ship stations.* (1) Compulsory ship stations whose service is not continuous may not suspend operation before concluding all traffic originating in or destined for public coast stations situated within their range and mobile stations which have indicated their presence.

(2) For GMDSS ships, radios shall be turned on and set to proper watch channels while ships are underway. If a ship has duplicate GMDSS installations for DSC or INMARSAT, only one of each must be turned on and keeping watch.

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(d) *Ships voluntarily fitting GMDSS subsystems.* For ships voluntarily fitting GMDSS subsystems, radios shall be turned on and set to proper watch channels while ships are underway. If ship has duplicate GMDSS installations for DSC or INMARSAT, only one of each must be turned on and keeping watch.

(e) *Other than public coast or compulsory ship stations.* The hours of service of stations other than those described in paragraphs (b), (c), and (d) of this section are determined by the station licensee.

[51 FR 31213, Sept. 2, 1986, as amended at 68 FR 46960, Aug. 7, 2003]

### § 80.94 Control by coast or Government station.

When communicating with a coast station or any Government station in the maritime mobile service, ship stations must comply with the instruction given by the coast station or Government station relative to the order and time of transmission, the choice of frequency, the suspension of communication and the permissible type of message traffic that may be transmitted. This provision does not apply in the event of distress.

### § 80.95 Message charges.

(a) Except as specified in §20.15(c) of this chapter with respect to commercial mobile radio service providers, charges must not be made for service of:

(1) Any public coast station unless tariffs for the service are on file with the Commission;

(2) Any station other than a public coast station or an Alaska—public fixed station, except cooperatively shared stations covered by §80.503;

(3) Distress calls and related traffic; and

(4) Navigation hazard warnings preceded by the SAFETY signal.

(b) The licensee of each ship station is 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.