

the operational and technical qualifications required to perform properly the duties of an amateur service licensee. Each written examination must be comprised of a question set as follows:

(a) Element 2: 35 questions concerning the privileges of a Technician Class operator license. The minimum passing score is 26 questions answered correctly.

(b) Element 3: 35 questions concerning the privileges of a General Class operator license. The minimum passing score is 26 questions answered correctly.

(c) Element 4: 50 questions concerning the privileges of an Amateur Extra Class operator license. The minimum passing score is 37 questions answered correctly.

[54 FR 25857, June 20, 1989, as amended at 61 FR 41019, Aug. 7, 1996; 65 FR 6550, Feb. 10, 2000; 72 FR 3082, Jan. 24, 2007]

#### § 97.505 Element credit.

(a) The administering VEs must give credit as specified below to an examinee holding any of the following license grants or license documents:

(1) An unexpired (or expired but within the grace period for renewal) FCC-granted Advanced Class operator license grant: Elements 2 and 3.

(2) An unexpired (or expired but within the grace period for renewal) FCC-granted General Class operator license grant: Elements 2 and 3.

(3) An unexpired (or expired but within the grace period for renewal) FCC-granted Technician or Technician Plus Class operator (including a Technician Class operator license granted before February 14, 1991) license grant: Element 2.

(4) An expired FCC-issued Technician Class operator license document granted before March 21, 1987; Element 3.

(5) A CSCE: Each element the CSCE indicates the examinee passed within the previous 365 days.

(b) No examination credit, except as herein provided, shall be allowed on the basis of holding or having held any other license grant or document.

[59 FR 54834, Nov. 2, 1994, as amended at 63 FR 68980, Dec. 14, 1998; 65 FR 6551, Feb. 10, 2000; 69 FR 24997, May 5, 2004; 72 FR 3082, Jan. 24, 2007]

#### § 97.507 Preparing an examination.

(a) Each telegraphy message and each written question set administered to an examinee must be prepared by a VE holding an Amateur Extra Class operator license. A telegraphy message or written question set may also be prepared for the following elements by a VE holding an operator license of the class indicated:

(1) Element 3: Advanced Class operator.

(2) Elements 1 and 2: Advanced or General Class operators.

(b) Each question set administered to an examinee must utilize questions taken from the applicable question pool.

(c) Each telegraphy message and each written question set administered to an examinee for an amateur operator license must be prepared, or obtained from a supplier, by the administering VEs according to instructions from the coordinating VEC.

(d) A telegraphy examination must consist of a message sent in the international Morse code at no less than the prescribed speed for a minimum of 5 minutes. The message must contain each required telegraphy character at least once. No message known to the examinee may be administered in a telegraphy examination. Each 5 letters of the alphabet must be counted as 1 word. Each numeral, punctuation mark and prosign must be counted as 2 letters of the alphabet.

[54 FR 25857, June 20, 1989, as amended at 58 FR 29126, May 19, 1993; 59 FR 54834, Nov. 2, 1994; 65 FR 6551, Feb. 10, 2000; 69 FR 24997, May 5, 2004]

#### § 97.509 Administering VE requirements.

(a) Each examination for an amateur operator license must be administered by a team of at least 3 VEs at an examination session coordinated by a VEC. The number of examinees at the session may be limited.

(b) Each administering VE must:

(1) Be accredited by the coordinating VEC;

(2) Be at least 18 years of age;

(3) Be a person who holds an amateur operator license of the class specified below:

**§97.511**

**47 CFR Ch. I (10–1–10 Edition)**

(i) Amateur Extra, Advanced or General Class in order to administer a Technician Class operator license examination;

(ii) Amateur Extra or Advanced Class in order to administer a General Class operator license examination;

(iii) Amateur Extra Class in order to administer an Amateur Extra Class operator license examination.

(4) Not be a person whose grant of an amateur station license or amateur operator license has ever been revoked or suspended.

(c) Each administering VE must be present and observing the examinee throughout the entire examination. The administering VEs are responsible for the proper conduct and necessary supervision of each examination. The administering VEs must immediately terminate the examination upon failure of the examinee to comply with their instructions.

(d) No VE may administer an examination to his or her spouse, children, grandchildren, stepchildren, parents, grandparents, stepparents, brothers, sisters, stepbrothers, stepsisters, aunts, uncles, nieces, nephews, and in-laws.

(e) No VE may administer or certify any examination by fraudulent means or for monetary or other consideration including reimbursement in any amount in excess of that permitted. Violation of this provision may result in the revocation of the grant of the VE's amateur station license and the suspension of the grant of the VE's amateur operator license.

(f) No examination that has been compromised shall be administered to any examinee. Neither the same telegraphy message nor the same question set may be re-administered to the same examinee.

(g) Passing a telegraphy receiving examination is adequate proof of an examinee's ability to both send and receive telegraphy. The administering VEs, however, may also include a sending segment in a telegraphy examination.

(h) Upon completion of each examination element, the administering VEs must immediately grade the examinee's answers. The administering VEs are responsible for determining

the correctness of the examinee's answers.

(i) When the examinee is credited for all examination elements required for the operator license sought, 3 VEs must certify that the examinee is qualified for the license grant and that the VEs have complied with these administering VE requirements. The certifying VEs are jointly and individually accountable for the proper administration of each examination element reported. The certifying VEs may delegate to other qualified VEs their authority, but not their accountability, to administer individual elements of an examination.

(j) When the examinee does not score a passing grade on an examination element, the administering VEs must return the application document to the examinee and inform the examinee of the grade.

(k) The administering VEs must accommodate an examinee whose physical disabilities require a special examination procedure. The administering VEs may require a physician's certification indicating the nature of the disability before determining which, if any, special procedures must be used.

(l) The administering VEs must issue a CSCE to an examinee who scores a passing grade on an examination element.

(m) After the administration of a successful examination for an amateur operator license, the administering VEs must submit the application document to the coordinating VEC according to the coordinating VEC's instructions.

[59 FR 54834, Nov. 2, 1994, as amended at 61 FR 9953, Mar. 12, 1996; 62 FR 17567, Apr. 10, 1997; 63 FR 68980, Dec. 14, 1998; 65 FR 6551, Feb. 10, 2000; 71 FR 66465, Nov. 15, 2006]

**§97.511 Examinee conduct.**

Each examinee must comply with the instructions given by the administering VEs.

[59 FR 54835, Nov. 2, 1994]

**§97.513 VE session manager requirements.**

(a) A VE session manager may be selected by the VE team for each examination session. The VE session manager must be accredited as a VE by the