

Federal Communications Commission

§ 97.107

with the deceased licensee's license. See §1.45 of this chapter. In addition, the Commission may cancel an operator/primary station license grant if it becomes aware of the grantee's death through other means. No action will be taken during the last thirty days of the post-expiration grace period (see §97.21(b)) on a request to cancel a license due to the licensee's death.

(b) A license that is canceled due to the licensee's death is canceled as of the date of the licensee's death.

[75 FR 78171, Dec. 15, 2010]

Subpart B—Station Operation Standards

§97.101 General standards.

(a) In all respects not specifically covered by FCC Rules each amateur station must be operated in accordance with good engineering and good amateur practice.

(b) Each station licensee and each control operator must cooperate in selecting transmitting channels and in making the most effective use of the amateur service frequencies. No frequency will be assigned for the exclusive use of any station.

(c) At all times and on all frequencies, each control operator must give priority to stations providing emergency communications, except to stations transmitting communications for training drills and tests in RACES.

(d) No amateur operator shall willfully or maliciously interfere with or cause interference to any radio communication or signal.

§97.103 Station licensee responsibilities.

(a) The station licensee is responsible for the proper operation of the station in accordance with the FCC Rules. When the control operator is a different amateur operator than the station licensee, both persons are equally responsible for proper operation of the station.

(b) The station licensee must designate the station control operator. The FCC will presume that the station licensee is also the control operator, unless documentation to the contrary is in the station records.

(c) The station licensee must make the station and the station records available for inspection upon request by an FCC representative.

[54 FR 25857, June 20, 1989, as amended at 71 FR 66462, Nov. 15, 2006; 75 FR 27201, May 14, 2010]

§97.105 Control operator duties.

(a) The control operator must ensure the immediate proper operation of the station, regardless of the type of control.

(b) A station may only be operated in the manner and to the extent permitted by the privileges authorized for the class of operator license held by the control operator.

§97.107 Reciprocal operating authority.

A non-citizen of the United States ("alien") holding an amateur service authorization granted by the alien's government is authorized to be the control operator of an amateur station located at places where the amateur service is regulated by the FCC, provided there is in effect a multilateral or bilateral reciprocal operating arrangement, to which the United States and the alien's government are parties, for amateur service operation on a reciprocal basis. The FCC will issue public announcements listing the countries with which the United States has such an arrangement. No citizen of the United States or person holding an FCC amateur operator/primary station license grant is eligible for the reciprocal operating authority granted by this section. The privileges granted to a control operator under this authorization are:

(a) For an amateur service license granted by the Government of Canada:

(1) The terms of the *Convention Between the United States and Canada* (TIAS No. 2508) *Relating to the Operation by Citizens of Either Country of Certain Radio Equipment or Stations in the Other Country*;

(2) The operating terms and conditions of the amateur service license issued by the Government of Canada; and

(3) The applicable rules of this part, but not to exceed the control operator