

§ 80.1065

be easily replaceable using commonly available tools.

[68 FR 46974, Aug. 7, 2003, as amended at 69 FR 64678, Nov. 8, 2004; 73 FR 4488, Jan. 25, 2008; 76 FR 67616, Nov. 2, 2011; 79 FR 77918, Dec. 29, 2014]

Subpart W—Global Maritime Distress and Safety System (GMDSS)

GENERAL PROVISIONS

This subpart contains the rules applicable to the Global Maritime Distress and Safety System (GMDSS). Every ship of the United States subject to part II of title III of the Communications Act or the Safety Convention must comply with the provisions of this subpart. The rules in this subpart are to be read in conjunction with the applicable requirements contained elsewhere in this part; however, in case of conflict, the provisions of this subpart shall govern with respect to the GMDSS. For the purposes of this subpart, distress and safety communications include distress, urgency, and safety calls and messages.

SOURCE: 57 FR 9065, Mar. 16, 1992, unless otherwise noted.

NOTE: No provision of this subpart is intended to eliminate, or in anyway modify, other requirements contained in this part with respect to part II of title III of the Communications Act.

§ 80.1065 Applicability.

(a) The regulations contained within this subpart apply to all passenger ships regardless of size and cargo ships of 300 tons gross tonnage and upwards.

(b) The requirements of this subpart do not modify the requirements for ships navigated on the Great Lakes or small passenger boats. The requirements contained in the Agreement Between the United States of America and Canada for Promotion of Safety on the Great Lakes by Means of Radio, 1973, continue to apply (see subpart T of this part). The requirements contained in part III of title III of the Communications Act continue to apply (see subpart S of this part).

(c) No provision in this subpart is intended to prevent the use by any ship, survival craft, or person in distress, of any means at their disposal to attract

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attention, make known their position and obtain help.

[57 FR 9065, Mar. 16, 1992, as amended at 60 FR 58245, Nov. 27, 1995; 60 FR 62927, Dec. 7, 1995; 73 FR 4489, Jan. 25, 2008]

§ 80.1067 Inspection of station.

(a) Ships must have the required equipment inspected at least once every 12 months by an FCC-licensed technician holding a GMDSS Radio Maintainer's License. If the ship passes the inspection the technician will issue a Safety Certificate. Safety Certificates may be obtained from the Commission's National Call Center at 1-888-CALL FCC (1-888-225-5322). The effective date of the ship Safety Certificate is the date the station is found to be in compliance or not later than one business day later. The FCC-licensed technician must use the latest FCC Information Bulletin, How to Conduct a GMDSS Inspection, which may be obtained at <http://www.fcc.gov>.

(b) Certificates issued in accordance with the Safety Convention must be posted in a prominent and accessible place on the ship.

[57 FR 9065, Mar. 16, 1992, as amended at 63 FR 29660, June 1, 1998; 80 FR 53752, Sept. 8, 2015]

§ 80.1069 Maritime sea areas.

(a) For the purpose of this subpart, a ship's area of operation is defined as follows:

(1) *Sea area A1*. An area within the radiotelephone coverage of at least one VHF coast station in which continuous DSC alerting is available as defined by the International Maritime Organization.

(2) *Sea area A2*. An area, excluding sea area A1, within the radiotelephone coverage of at least one MF coast station in which continuous DSC alerting is available as defined by the International Maritime Organization.

(3) *Sea area A3*. An area, excluding sea areas A1 and A2, within the coverage of an INMARSAT geostationary satellite in which continuous alerting is available.

(4) *Sea area A4*. An area outside sea areas A1, A2 and A3.

(b) Maritime sea areas are delineated in the International Maritime Organization Publication GMDSS Master

Plan of Shore-Based Facilities. The Master Plan can be purchased from the International Maritime Organization, 4 Albert Embankment, London SE1 7SR, United Kingdom.

§ 80.1071 Exemptions.

(a) In certain circumstances, partial or conditional exemptions may be granted to individual ships from the requirements of §§ 80.1085, 80.1087, 80.1089, 80.1091, and 80.1093 provided: such ships comply with the functional requirements of § 80.1081 and a showing is made that such an exemption will not have a material effect upon the general efficiency of the service for the safety of all ships.

(b) An exemption may be granted under paragraph (a) of this section only:

(1) If the conditions affecting safety are such as to render the full application of §§ 80.1085, 80.1087, 80.1089, 80.1091, and 80.1093 unreasonable or unnecessary or otherwise not in the public interest;

(2) In exceptional circumstances, for a single voyage outside the sea area or sea areas for which the ship is equipped.

(c) All fishing vessels of 300 gross tons and upward are exempt from subpart W requirements applicable for carriage of VHF-DSC and MF-DSC equipment until one year after the USCG establishes GMDSS coast facilities for Sea Areas A1 and A2, if the following provisions are met:

(1) The ship is equipped with:

(i) A VHF radiotelephone installation.

(ii) A MF or HF radiotelephone installation.

(iii) A Category 1, 406.0–406.1 MHz EPIRB meeting the requirements of § 80.1061;

(iv) A NAVTEX receiver meeting the requirements of § 80.1101(c)(1);

(v) Survival craft equipment meeting the requirements of § 80.1095;

(vi) A Search and Rescue Transponder meeting the requirements of § 80.1101(c)(6); and

(2) The ship remains within coverage of a VHF coast station and maintains a continuous watch on VHF Channel 16; or

(3) The vessel remains within coverage of an MF coast station and maintains a continuous watch on 2182 kHz and VHF Channel 16.

[57 FR 9065, Mar. 16, 1992, as amended at 68 FR 46975, Aug. 7, 2003; 73 FR 4489, Jan. 25, 2008]

§ 80.1073 Radio operator requirements for ship stations.

(a) Ships must carry at least two persons holding GMDSS Radio Operator's Licenses as specified in § 13.7 of this chapter for distress and safety radiocommunications purposes. The GMDSS Radio Operator's License qualifies personnel as a GMDSS radio operator for the purposes of operating a GMDSS radio installation, including basic equipment adjustments as denoted in the knowledge requirements specified in § 13.203 of this chapter.

(1) A qualified GMDSS radio operator must be designated to have primary responsibility for radiocommunications during distress incidents, except if the vessel operates exclusively within twenty nautical miles of shore, in which case a qualified restricted radio operator may be so designated.

(2) A second qualified GMDSS radio operator must be designated as backup for distress and safety radiocommunications, except if the vessel operates exclusively within twenty nautical miles of shore, in which case a qualified restricted GMDSS radio operator may be so designated.

(b) A qualified GMDSS radio operator, and a qualified backup, as specified in paragraph (a) of this section must be:

(1) Available to act as the dedicated radio operator in cases of distress as described in § 80.1109(a);

(2) Designated to perform as part of normal routine each of the applicable communications described in § 80.1109(b);

(3) Responsible for selecting HF DSC guard channels and receiving scheduled maritime safety information broadcasts;

(4) Designated to perform communications described in § 80.1109(c);

(5) Responsible for ensuring that the watches required by § 80.1123 are properly maintained; and