

Newcomers and Elmers Net:FCC Regulations

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97.1 Basis and purpose.

The rules and regulations in this part are designed to provide an amateur radio service having a fundamental purpose as expressed in the following principles:

(a) Recognition and enhancement of the value of the amateur service to the public as a voluntary noncommercial communication service, particularly with respect to providing emergency communications.

(b) Continuation and extension of the amateur's proven ability to contribute to the advancement of the radio art.

(c) Encouragement and improvement of the amateur service through rules which provide for advancing skills in both the communication and technical phases of the art.

(d) Expansion of the existing reservoir within the amateur radio service of trained operators, technicians, and electronics experts.

(e) Continuation and extension of the amateur's unique ability to enhance international goodwill.

Some Definitions

(1) Amateur operator.

A person named in an amateur operator/primary license station grant on the ULS consolidated licensee database to be the control operator of an amateur station.

(2) Amateur radio services.

The amateur service, the amateur-satellite service and the radio amateur civil emergency service.

(4) Amateur service.

A radiocommunication service for the purpose of self-training, intercommunication and technical investigations carried out by amateurs, that is, duly authorized persons interested in radio technique solely with a personal aim and without pecuniary interest.

(5) Amateur station.

A station in an amateur radio service consisting of the apparatus necessary for carrying on radiocommunications.

(6) Automatic control.

The use of devices and procedures for control of a station when it is transmitting so that compliance with the FCC Rules is achieved without the control operator being present at a control point.

(7) Auxiliary station.

An amateur station, other than in a message forwarding system, that is transmitting communications point-to-point within a system of cooperating amateur stations.

(8) Bandwidth.

The width of a frequency band outside of which the mean power of the transmitted signal is attenuated at least 26 dB below the mean power of the transmitted signal within the band.

(9) Beacon.

An amateur station transmitting communications for the purposes of observation of propagation and reception or other related experimental activities.

(10) Broadcasting. Transmissions intended for reception by the general public, either direct or relayed.

(13) Control operator.

An amateur operator designated by the licensee of a station to be responsible for the transmissions from that station to assure compliance with the FCC Rules.

(14) Control point.

The location at which the control operator function is performed.

(16) Earth station.

An amateur station located on, or within 50 km of, the Earth's surface intended for communications with space stations or with other Earth stations by means of one or more other objects in space.

(47) Third party communications.

A message from the control operator (first party) of an amateur station to another amateur station control operator (second party) on behalf of another person (third party).

97.5 Station license required.

(a) The station apparatus must be under the physical control of a person named in an amateur station license grant on the ULS consolidated license database or a person authorized for alien reciprocal operation by §97.107 of this part, before the station may transmit on any amateur service frequency (basically anywhere on earth or out in space that is under the FCC jurisdiction)

(b) The types of station license grants are:

(1) An operator/primary station license grant.

One, but only one, operator/primary station license grant may be held by any one person. The primary station license is granted together with the amateur operator license. Except for a representative of a foreign government, any person who qualifies by examination is eligible to apply for an operator/primary station license grant.

(2) A club station license grant.

A club station license grant may be held only by the person who is the license trustee designated by an officer of the club. The trustee must be a person who holds an operator/primary station license grant. The club must be composed of at least four persons and must have a name, a document of organization, management, and a primary purpose devoted to amateur service activities consistent with this part.

97.7 Control operation required.

When transmitting, each amateur station must have a control operator.

97.9 Operator license grant.

(a) The classes of amateur operator license grants are: Novice, Technician, General, Advanced, and Amateur Extra. The person named in the operator license

grant is authorized to be the control operator of an amateur station with the privileges authorized to the operator class specified on the license grant.

(b) The person named in an operator license grant of Novice, Technician, General or Advanced Class, who has properly submitted to the administering VEs a FCC Form 605 document requesting examination for an operator license grant of a higher class, and who holds a CSCE indicating that the person has completed the necessary examinations within the previous 365 days, is authorized to exercise the rights and privileges of the higher operator class until final disposition of the application or until 365 days following the passing of the examination, whichever comes first.

97.13 Restrictions on station location

(c) Before causing or allowing an amateur station to transmit from any place where the operation of the station could cause human exposure to RF electromagnetic field levels in excess of those allowed under §1.1310 of this chapter, the licensee is required to take certain actions.

(1) The licensee must perform the routine RF environmental evaluation prescribed by the FCC, if the power of the licensee's station exceeds the limits given in the following:

80 m 500w	75 m 500w	40 m 500w	30 m 425w
20 m 225w	17 m 125w	15 m 100w	12 m 75w
10 m 50w	VHF (all bands) 50w	70 cm 70w	

97.15 Station antenna structure

station antenna structure may be erected at heights and dimensions sufficient to accommodate amateur service communications. (State and local regulation of a station antenna structure must not preclude amateur service communications. Rather, it must reasonably accommodate such communications and must constitute the minimum practicable regulation to accomplish the state or local authority's legitimate purpose. (PRB-1)

Renewal of License

An amateur service license is normally granted for a 10-year term.

A person whose amateur station license grant has expired may apply to the FCC for renewal of the license grant for another term during a 2 year filing grace period. Unless and until the license grant is renewed, no privileges in this part are conferred. (Means you cannot operate during grace period!)

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.

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.

97.111 Authorized transmissions

an amateur station may transmit the following types of one-way communications:

- (1) Brief transmissions necessary to make adjustments to the station;
- (2) Brief transmissions necessary to establishing two-way communications with other stations;
- (3) Telecommand;
- (4) Transmissions necessary to providing emergency communications;
- (5) Transmissions necessary to assisting persons learning, or improving proficiency in, the international Morse code; and
- (6) Transmissions necessary to disseminate information bulletins.
- (7) Transmissions of telemetry.

97.113 Prohibited transmissions.

(a) No amateur station shall transmit:

(2) Communications for hire or for material compensation, direct or indirect, paid or promised

(3) Communications in which the station licensee or control operator has a pecuniary interest, including communications on behalf of an employer, with the following exceptions:

(i) An operator may participate (with limitations) on behalf of an employer in an emergency preparedness or disaster readiness test or drill,

(ii) An amateur operator may notify other amateur operators of the availability for sale or trade of apparatus normally used in an amateur station, provided that such activity is not conducted on a regular basis.

(iii) A control operator may accept compensation as an incident of a teaching position during periods of time when an amateur station is used by that teacher as a part of classroom instruction at an educational institution.

(4) Music using a phone emission except as specifically provided elsewhere in this section; communications intended to facilitate a criminal act; messages encoded for the purpose of obscuring their meaning, except as otherwise provided herein; **obscene or indecent words or language**; or false or deceptive messages, signals or identification.

(5) Communications, on a regular basis, which could reasonably be furnished alternatively through other radio services.

(b) An amateur station shall not engage in any form of broadcasting,

(c) No station shall retransmit programs or signals emanating from any type of radio station other than an amateur station,

(d) No amateur station, except an auxiliary, repeater, or space station, may automatically retransmit the radio signals of other amateur station.