

(3) Meet the requirements in §§ 80.1053 (a)(4) through (a)(8) and (b) through (i) of this part;

(4) Class S EPIRBs may provide either continuous or intermittent operation. If the EPIRB is designed for intermittent operation, the duty cycle must be from 50 to 60 per cent and the period two minutes plus or minus 12 seconds. In either event, the EPIRB must meet the power output characteristics described in § 80.1053(a)(8) of this part;

(5) If testing of an EPIRB with Coast Guard coordination is not possible, brief operational tests are authorized provided the tests are conducted within the first five minutes of any hour and are not longer than three audio sweeps or one second whichever is longer;

(6) Have a designation that indicates it is a "Class S" EPIRB.

(e) Applications for certification must include a letter from the manufacturer stating that the EPIRB meets the requirements in paragraphs (b) and (d), or (c) and (d) of this section.

[51 FR 31213, Sept. 2, 1986, as amended at 56 FR 11517, Mar. 19, 1991; 63 FR 36607, July 7, 1998]

EFFECTIVE DATE NOTE: At 68 FR 46974, Aug. 7, 2003, § 80.1059 was revised, effective October 6, 2003. For the convenience of the user, the revised text is set forth as follows:

§ 80.1059 Special requirements for Class S EPIRB stations.

Class S EPIRBs shall not be manufactured, imported, or sold in the United States on or after February 1, 2003. Operation of Class S EPIRB stations shall be prohibited after December 31, 2006. New Class S EPIRBs will no longer be certified by the Commission. Existing Class S EPIRBs must be operated as certified.

§ 80.1061 Special requirements for 406.025 MHz EPIRBs.

(a) Notwithstanding the provisions in paragraph (b) of this section, 406.025 MHz EPIRBs must meet all the technical and performance standards contained in the Radio Technical Commission for Maritime Services document titled "RTCM Recommended Standards for 406 MHz Satellite Emergency Position-Indicating Radiobeacons (EPIRBs)" dated July 31, 1987, with editorial updates of December 31, 1987 (RTCM Recommended Standards). This

RTCM document is incorporated by reference in accordance with 5 U.S.C. 552(a). The document is available for inspection at Commission headquarters in Washington, DC or may be obtained from the Radio Technical Commission for Maritime Services, Post Office Box 19087, Washington, DC 20036.

(b) The 406.025 MHz EPIRB must contain as an integral part a "homing" beacon operating only on 121.500 MHz that meets all the requirements described in the RTCM Recommended Standards document described in paragraph (a) of this section. The 121.500 MHz "homing" beacon must have a continuous duty cycle that may be interrupted during the transmission of the 406.025 MHz signal only. Additionally, at least 30 percent of the total power emitted during any transmission cycle must be contained within plus or minus 30 Hz of the carrier frequency.

(c) Prior to submitting a certification application for a 406 MHz radiobeacon, the radiobeacon must be certified by a test facility recognized by one of the COSPAS/SARSAT Partners that the equipment satisfies the design characteristics associated with the measurement methods described in Appendix B of the RTCM Recommended Standards.

Additionally, the radiobeacon must be certified by a test facility recognized by the U.S. Coast Guard to certify that the equipment complies with the U.S. Coast Guard environmental and operational requirements associated with the test procedures described in Appendix A of the RTCM Recommended Standards. Information regarding the recognized test facilities may be obtained from Commandant (G-MVI), U.S. Coast Guard, 2100 2nd Street SW., Washington, DC 20593-0001.

(1) After a 406.025 MHz EPIRB has been certified by the recognized test facilities the following information must be submitted in duplicate to the Commandant (G-MVI), U.S. Coast Guard, 2100 2nd Street SW., Washington, DC 20593-0001:

(i) The name of the manufacturer or grantee and model number of the EPIRB;

(ii) Copies of the certificate and test data obtained from the test facility recognized by a COSPAS/SARSAT

Partner showing that the radiobeacon complies with the COSPAS/SARSAT design characteristics associated with the measurement methods described in Appendix B of the RTCM Recommended Standards;

(iii) Copies of the test report and test data obtained from the test facility recognized by the U.S. Coast Guard showing that the radiobeacon complies with the U.S. Coast Guard environmental and operational characteristics associated with the measurement methods described in Appendix A of the RTCM Recommended Standards; and

(iv) Instruction manuals associated with the radiobeacon, description of the test characteristics of the radiobeacon including assembly drawings, electrical schematics, description of parts list, specifications of materials and the manufacturer's quality assurance program.

(2) After reviewing the information described in paragraph (c)(1) of this section the U.S. Coast Guard will issue a letter stating whether the radiobeacon satisfies all RTCM Recommended Standards.

(d) A certification application for a 406.025 MHz EPIRB submitted to the Commission must also contain a copy of the U.S. Coast Guard letter that states the radiobeacon satisfies all RTCM Recommended Standards, a copy of the technical test data, and the instruction manual(s).

(e) An identification code, issued by the National Oceanic and Atmospheric Administration (NOAA), the United States Program Manager for the 406.025 MHz COSPAS/SARSAT satellite system, must be programmed in each EPIRB unit to establish a unique identification for each EPIRB station. With each marketable EPIRB unit, the manufacturer or grantee must include a postage pre-paid registration card printed with the EPIRB identification code addressed to: SARSAT Beacon Registration, NOAA, NESDIS, E/SP3, RM 3320, FB-4, 5200 Auth Road, Suitland, MD 20746-4304. The registration card must request the owner's name, address, telephone number, type of ship, alternate emergency contact and include the following statement: "WARNING—failure to register this EPIRB with NOAA before installation

could result in a monetary forfeiture being issued to the owner."

(f) To enhance protection of life and property, it is mandatory that each 406.025 MHz EPIRB be registered with NOAA before installation and that information be kept up-to-date. Therefore, in addition to the identification plate or label requirements contained in §§ 2.925 and 2.926 of this chapter, each 406.025 MHz EPIRB must be provided on the outside with a clearly discernable permanent plate or label containing the following statement: "The owner of this 406.025 MHz EPIRB must register the NOAA identification code contained on this label with the National Oceanic and Atmospheric Administration (NOAA), whose address is: SARSAT Beacon Registration, NOAA, NESDIS, E/SP3, RM 3320, FB-4, 5200 Auth Road, Suitland, MD 20746-4304." Vessel owners shall advise NOAA in writing upon change of vessel or EPIRB ownership, transfer of EPIRB to another vessel, or any other change in registration information. NOAA will provide registrants with proof of registration and change of registration postcards.

(g) For 406.025 MHz EPIRBs whose identification code can be changed after manufacture, the identification code shown on the plate or label must be easily replaceable using commonly available tools.

[53 FR 37308, Sept. 26, 1988, as amended at 56 FR 11517, Mar. 19, 1991; 59 FR 35269, July 11, 1994; 63 FR 36607, July 7, 1998; 68 FR 32678, June 2, 2003]

EFFECTIVE DATE NOTE: At 68 FR 46974, Aug. 7, 2003, § 80.1061 was revised, effective October 6, 2003. For the convenience of the user, the revised text is set forth as follows:

§ 80.1061 Special requirements for 406.0-406.1 MHz EPIRB stations.

(a) Notwithstanding the provisions in paragraph (b) of this section, 406.0-406.1 MHz EPIRBs must meet all the technical and performance standards contained in the Radio Technical Commission for Maritime Services document entitled RTCM Paper 77-02/SC110-STD, "RTCM Recommended Standards for 406 MHz Satellite Emergency Position-Indicating Radiobeacons (EPIRBs)," Version 2.1, dated June 20, 2002 (RTCM Recommended Standards). The RTCM Recommended Standards are incorporated by reference. The Director of the Federal Register approves this incorporation by reference in accordance

with 5 U.S.C. 552(a) and 1 CFR Part 51. Copies of the RTCM Recommended Standards can be inspected at the Federal Communications Commission, 445 12th Street, SW, Washington, DC (Reference Information Center) or at the Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC. The RTCM Recommended Standards can be purchased from the Radio Technical Commission for Maritime Services, 1800 Diagonal Road, Suite 600, Alexandria, VA 22314. Phone 703-684-4481; Fax 703-684-4229; email wtadams@rtcm.org.

(b) The 406.0-406.1 EPIRB must contain as an integral part a "homing" beacon operating only on 121.500 MHz that meets all the requirements described in the RTCM Recommended Standards document described in paragraph (a) of this section. The 121.500 MHz "homing" beacon must have a continuous duty cycle that may be interrupted during the transmission of the 406.0-406.1 MHz signal only. Additionally, at least 30 percent of the total power emitted during any transmission cycle must be contained within plus or minus 30 Hz of the carrier frequency.

(c) Prior to submitting a certification application for a 406.0-406.1 MHz radiobeacon, the radiobeacon must be certified by a test facility recognized by one of the COSPAS/SARSAT Partners that the equipment satisfies the design characteristics associated with the measurement methods described in Appendix B of the RTCM Recommended Standards. Additionally, the radiobeacon must be certified by a test facility recognized by the U.S. Coast Guard to certify that the equipment complies with the U.S. Coast Guard environmental and operational requirements associated with the test procedures described in Appendix A of the RTCM Recommended Standards. Information regarding the recognized test facilities may be obtained from Commandant (G-MSE), U.S. Coast Guard, 2100 2nd Street SW, Washington, DC 20593-0001.

(l) After a 406.0-406.1 MHz EPIRB has been certified by the recognized test facilities the following information must be submitted in duplicate to the Commandant (G-MSE), U.S. Coast Guard, 2100 2nd Street SW, Washington, DC 20593-0001:

(i) The name of the manufacturer or grantee and model number of the EPIRB;

(ii) Copies of the certificate and test data obtained from the test facility recognized by a COPAS/SARSAT Partner showing that the radiobeacon complies with the COSPAS/SARSAT design characteristics associated with the measurement methods described in Appendix B of the RTCM Recommended Standards;

(iii) Copies of the test report and test data obtained from the test facility recognized by the U.S. Coast Guard showing that the radiobeacon complies with the U.S. Coast Guard environmental and operational characteris-

tics associated with the measurement methods described in Appendix A of the RTCM Recommended Standards; and

(iv) Instruction manuals associated with the radiobeacon, description of the test characteristics of the radiobeacon including assembly drawings, electrical schematics, description of parts list, specifications of materials and the manufacturer's quality assurance program.

(2) After reviewing the information described in paragraph (c)(1) of this section the U.S. Coast Guard will issue a letter stating whether the radiobeacon satisfies all RTCM Recommended Standards.

(d) A certification application for a 406.0-406.1 MHz EPIRB submitted to the Commission must also contain a copy of the U.S. Coast Guard letter that states the radiobeacon satisfies all RTCM Recommended Standards, a copy of the technical test data, and the instruction manual(s).

(e) An identification code, issued by the National Oceanic and Atmospheric Administration (NOAA), the United States Program Manager for the 406.0-406.1 MHz COSPAS/SARSAT satellite system, must be programmed in each EPIRB unit to establish a unique identification for each EPIRB station. With each marketable EPIRB unit the manufacturer or grantee must include a postage pre-paid registration card printed with the EPIRB identification code addressed to: NOAA/NESDIS, SARSAT Operations Division, E/SP3, Federal Building 4, Washington, DC 20233. The registration card must request the owner's name, address, telephone number, type of ship, alternate emergency contact and include the following statement: "WARNING—failure to register this EPIRB with NOAA before installation could result in a monetary forfeiture being issued to the owner."

(f) To enhance protection of life and property it is mandatory that each 406.0-406.1 MHz EPIRB be registered with NOAA before installation and that information be kept up-to-date. Therefore, in addition to the identification plate or label requirements contained in §§ 2.925, 2.926 and 2.1003 of this chapter, each 406.0-406.1 MHz EPIRB must be provided on the outside with a clearly discernible permanent plate or label containing the following statement: "The owner of this 406.0-406.1 MHz EPIRB must register the NOAA identification code contained on this label with the National Oceanic and Atmospheric Administration (NOAA) whose address is: NOAA, NOAA/SARSAT Operations Division, E/SP3, Federal Building 4, Washington, DC 20233." Vessel owners shall advise NOAA in writing upon change of vessel or EPIRB ownership, transfer of EPIRB to another vessel, or any other change in registration information. NOAA will provide registrants with proof of registration and change of registration postcards.

(g) For 406.0-406.1 MHz EPIRBs whose identification code can be changed after manufacture, the identification code shown on the plate or label must be easily replaceable using commonly available tools.

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 in § 80.1119 apply to public coast stations and coast earth stations as of February 1, 1992.

(b) The regulations contained within this subpart apply to all passenger ships regardless of size and cargo ships of 300 tons gross tonnage and upwards as follows:

(1) Ships must comply with §§ 80.1085(a)(4) and 80.1085(a)(6) not later than August 1, 1993.

(2) Ships constructed on or after February 1, 1992, must comply with § 80.1095 as of that date. All other ships must comply with § 80.1095 as of February 1, 1995.

(3) Ships constructed on or after February 1, 1995, must comply with all requirements of this subpart.

(4) Ships constructed before February 1, 1995, must comply with all requirements of this subpart as of February 1, 1999.

(5) During the period between February 1, 1992, and February 1, 1999, all ships must comply with:

(i) The requirements of this subpart;

(ii) The requirements of chapter IV of the International Convention for the Safety of Life at Sea, 1974, in force prior to February 1, 1992 (see subparts Q and R of this part); or

(iii) The requirements of either § 80.836 or § 80.933.

(6) The expression “ships constructed” means “ships the keels of which are laid, or construction identifiable with a specific ship begins and assembly of that ship has commenced comprising at least 50 tons gross tonnage or 1% of the estimated mass of all structural material, whichever is less.

(c) 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).

(d) 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 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]

§ 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) or from its field offices. 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