

Federal Communications Commission

§ 80.159

person holding a commercial radio operator license or permit of the class required below. The operator is responsible for the proper operation of the station.

[54 FR 10008, Mar. 9, 1989]

§ 80.156 Control by operator.

The operator on board ships required to have a holder of a commercial operator license or permit on board may, if authorized by the station licensee or master, permit an unlicensed person to modulate the transmitting apparatus for all modes of communication except Morse code radiotelegraphy.

[51 FR 34984, Oct. 1, 1986]

§ 80.157 Radio officer defined.

A *radio officer* means a person holding a first or second class radiotelegraph operator's certificate issued by the Commission who is employed to operate a ship radio station in compliance with Part II of Title III of the Communications Act. Such a person is also required to be licensed as a *radio officer* by the U.S. Coast Guard when employed to operate a ship radiotelegraph station.

[53 FR 46455, Nov. 17, 1988]

§ 80.159 Operator requirements of Title III of the Communications Act and the Safety Convention.

(a) Each telegraphy passenger ship equipped with a radiotelegraph station in accordance with Part II of Title III of the Communications Act must carry one radio officer holding a first or second class radiotelegraph operator's certificate and a second radio officer holding either a first or second class radiotelegraph operator's certificate. The holder of a second class radiotelegraph operator's certificate may not act as the chief radio officer.

(b) Each cargo ship equipped with a radiotelegraph station in accordance with Part II of Title III of the Communications Act and which has a radiotelegraph auto alarm must carry a radio officer holding a first or second class radiotelegraph operator's certificate who has had at least six months service as a radio officer on board U.S. ships. If the radiotelegraph station does not have an auto alarm, a second

radio officer who holds a first or second class radiotelegraph operator's certificate must be carried.

(c) Each cargo ship equipped with a radiotelephone station in accordance with Part II of Title III of the Communications Act must carry a radio operator who meets the following requirements:

(1) Where the station power does not exceed 1500 watts peak envelope power, the operator must hold a marine radio operator permit or higher class license.

(2) Where the station power exceeds 1500 watts peak envelope power, the operator must hold a general radiotelephone radio operator license or higher class license.

(d) Each ship transporting more than six passengers for hire equipped with a radiotelephone station in accordance with Part III of Title III of the Communications Act must carry a radio operator who meets the following requirements:

(1) Where the station power does not exceed 250 watts carrier power or 1500 watts peak envelope power, the radio operator must hold a marine radio operator permit or higher class license.

(2) Where the station power exceeds 250 watts carrier power or 1500 watts peak envelope power, the radio operator must hold a general radiotelephone operator license or higher class license.

[51 FR 31213, Sept. 2, 1986, as amended at 54 FR 40058, Sept. 29, 1989]

EFFECTIVE DATE NOTE: At 68 FR 46926, Aug. 7, 2003, §80.159 was amended by redesignating paragraph (d) as paragraph (e) and adding a new paragraph (d) effective October 6, 2003. For the convenience of the user, the added text is set forth as follows:

§ 80.159 Operator requirements of Title III of the Communications Act and the Safety Convention.

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(d) Each passenger ship equipped with a GMDSS installation in accordance with subpart W of this part shall carry at least two persons holding an appropriate GMDSS Radio Operator License or, if the passenger ship operates exclusively within twenty nautical miles of shore, at least two persons