

§ 80.17

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public fixed station cannot be granted to or held by:

- (1) Any alien or the representative of any alien;
- (2) Any foreign government or its representative;
- (3) Any corporation organized under the laws of any foreign government;
- (4) Any corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or its representative, or by a corporation organized under the laws of a foreign country; or
- (5) Any corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or its representatives, or by any corporation organized under the laws of a foreign country, if the Commission finds that the public interest will be served by the refusal or revocation of such license.

(c) *Private coast and marine utility stations.* The supplemental eligibility requirements for private coast and marine utility stations are contained in § 80.501(a).

(d) *Ship stations.* A ship station license may only be granted to:

- (1) The owner or operator of the vessel;
- (2) A subsidiary communications corporation of the owner or operator of the vessel;
- (3) A State or local government subdivision; or
- (4) Any agency of the U.S. Government subject to section 301 of the Communications Act.

(e) *EPIRB stations.* (1) New class C EPIRB stations will not be authorized after February 1, 1995. Class C EPIRB stations installed and licensed before February 1, 1995, will be authorized until February 1, 1999:

- (i) For use on board vessels operating within 32 kilometers (approximately 20 miles) of shore and in the Great Lakes, or
- (ii) On passenger and cargo vessels with survival craft as required or recommended by the U.S. Coast Guard.

(2) Class A or B EPIRB stations will be authorized for use on board the following types of vessels:

- (i) Vessels authorized to carry survival craft; or
- (ii) Vessels expected to travel in waters beyond the range of marine VHF distress coverage which is generally considered to be more than 32 kilometers (approximately 20 miles) offshore; or
- (iii) Vessels required to be fitted with EPIRB's to comply with U.S. Coast Guard regulations.

(3) A 406.025 MHz EPIRBs may be used by any ship required by U.S. Coast Guard regulations to carry an EPIRB or by any ship that is equipped with a VHF ship radio station.

[51 FR 31213, Sept. 2, 1986, as amended at 53 FR 37308, Sept. 26, 1988; 58 FR 33344, June 17, 1993; 61 FR 55581, Oct. 28, 1996]

EFFECTIVE DATE NOTE: At 68 FR 45960, Aug. 7, 2003, § 80.15 was amended by removing paragraph (e)(1), redesignating paragraphs (e)(2) and (3) as paragraphs (e)(1) and (2), and revising newly redesignated paragraph (e)(1) introductory text effective October 6, 2003. For the convenience of the user, the revised text is set forth as follows:

§ 80.15 Eligibility for station license.

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(e) *EPIRB stations.* (1) Class A or Class B EPIRB stations will be authorized for use on board the following types of vessels until December 31, 2006:

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§ 80.17 Administrative classes of stations.

(a) Stations in the Maritime Mobile Service are licensed according to class of station as follows:

- (1) Public coast stations.
- (2) Private coast stations.
- (3) Maritime support stations.

(4) *Ship stations.* The ship station license may include authority to operate other radio station classes aboard ship such as; radionavigation, on-board, satellite, EPIRB, radiotelephone, radiotelegraph and survival craft.

- (5) Marine utility stations.

(b) Stations on land in the Maritime Radiodetermination Service are licensed according to class of station as follows:

- (1) Shore radiolocation stations.
- (2) Shore radionavigation stations.
- (c) Fixed stations in the Fixed Service associated with the maritime services are licensed as follows:
 - (1) Operational fixed stations.
 - (2) Alaska-public fixed stations.
 - (3) Alaska-private fixed stations.

§ 80.21 Supplemental information required.

Applications must contain supplementary information as indicated in this section. Other supplemental information may be required by other rule sections of this part concerning particular maritime services.

(a) Each application for a new public coast station operating on frequencies in the band 156–162 MHz must include as supplementary information a chart, with supporting data, showing the service area contour computed in accordance with subpart P of this part.

(b) Each application for a new public coast station operating on frequencies in the band 156–162 MHz to be located within the coordination boundaries of “Arrangement ‘A’ of the Canada/U.S.A. Frequency Coordination Agreement above 30 MHz”, must comply with the provisions of the “Canada/U.S.A. Channeling Agreement for VHF Maritime, Public Correspondence” as contained in § 80.57.

(c) A new station on a vessel not located in the United States must not be documented or otherwise registered by any foreign authority. The foreign authorities where the vessel is located will not or cannot license the vessel radio equipment and can not object to the licensing of the equipment by the United States. An applicant must provide verification of these facts upon request by the Commission.

[51 FR 31213, Sept. 2, 1986, as amended at 60 FR 50122, Sept. 28, 1995; 62 FR 55533, Oct. 27, 1997; 63 FR 68955, Dec. 14, 1998]

EFFECTIVE DATE NOTE: At 63 FR 68955, Dec. 14, 1998, § 80.21 was amended by removing paragraphs (a), (b), and (f); redesignating paragraphs (c), (d), and (e) as (a), (b), and (c); and revising the introductory text and newly redesignated paragraph (c). This section contains information collection and record-keeping requirements, and the amendments will not become effective until approval has been given by the Office of Management and Budget.

§ 80.25 License term.

(a) Licenses for ship stations in the maritime services will normally be issued for a term of ten years from the date of original issuance, or renewal.

(b) Licenses other than ship stations in the maritime services will normally be issued for a term of ten years from the date of original issuance, major modification, or renewal.

(c) Licenses for stations engaged in developmental operation will be issued for a period not to exceed one year from date of grant.

[51 FR 31213, Sept. 2, 1986, as amended at 58 FR 68062, Dec. 23, 1993; 62 FR 40304, July 28, 1997; 63 FR 40062, July 27, 1998; 63 FR 68955, Dec. 14, 1998; 65 FR 77823, Dec. 13, 2000]

§ 80.31 Cancellation of license.

Wireless telecommunications carriers subject to this part must comply with the discontinuance of service provisions of part 63 of this chapter.

[63 FR 68955, Dec. 14, 1998]

§ 80.33 Developmental license.

This section contains rules about the licensing of developmental operations at stations subject to this part.

(a) *Supplemental eligibility.* An authorization for developmental operation will be issued only to persons eligible to operate such stations on a regular basis.

(b) *Showing required.* Each application for a developmental license must be accompanied by the following showing:

(1) The applicant has an organized plan of development leading to an objective;

(2) A point has been reached in the program where actual transmission by radio is essential to progress;

(3) The program will contribute to the use of the radio services subject to this part;

(4) The program will be conducted by qualified personnel;

(5) The applicant is legally qualified and possesses technical facilities for conduct of the program as proposed; and

(6) The public interest, convenience and necessity will be served by the proposed operation.

(c) *Statement of understanding.* The showing must state that the applicant