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the survival craft nonportable radio installation is capable of energizing the installation for the required 6 hours.

(c) The results of the inspections and test must be made known to the master, and be entered in the ship's radio station log, or in the ship's log if the ship is not provided with a radio station.

EFFECTIVE DATE NOTE: At 68 FR 46973, Aug. 7, 2003, § 80.832 was removed, effective October 6, 2003.

§ 80.833 Class S survival craft emergency position indicating radiobeacons (EPIRB's).

(a) Survival craft emergency position indicating radiobeacons, Class S, required to comply with title 46 of the Code of Federal Regulations must be certificated to meet the provisions of § 80.1059.

(b) The Class S EPIRB must be stowed in the survival craft.

(c) The Class S EPIRB must be tested at intervals not to exceed twelve months.

(d) Batteries must be replaced after the date specified in § 80.1053(e), or after the transmitter has been used in an emergency situation, whichever is earlier.

[51 FR 31213, Sept. 2, 1986, as amended at 63 FR 36607, July 7, 1998]

EFFECTIVE DATE NOTE: At 68 FR 46973, Aug. 7, 2003, § 80.833 was removed, effective October 6, 2003.

§ 80.834 Survival craft portable two-way radiotelephone.

(a) Survival craft portable two-way radiotelephone transceivers must meet the provisions of § 80.271.

(b) The equipment must be stowed in the radio room, on the bridge or in a location readily accessible for transfer to life boats when not being used by shipboard personnel to satisfy the vessel's operational requirements.

(c) When not in routine use the survival craft two-way radiotelephone transceivers must be operationally tested once a week. Operational test should be conducted with equipment separated as far as practical and in the case of UHF equipment must include tests on the frequency 457.525 MHz.

(d) All survival craft two-way radiotelephones associated with a ship must

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operate in the same frequency band (VHF or UHF).

EFFECTIVE DATE NOTE: At 68 FR 46973, Aug. 7, 2003, § 80.834 was removed, effective October 6, 2003.

§ 80.835 Ship and survival craft station spare parts, tools, instruction books, circuit diagrams and testing equipment.

(a) Each ship station must be provided with such spare parts, tools, testing equipment, instruction books and circuit diagrams as will enable the radiotelegraph installation and survival craft station to be maintained in working condition while at sea. Each ship station licensee must compile a list of spare parts, tools, test equipment and circuit diagrams it considers necessary for compliance with this requirement. This list must be available at inspection. Spare parts for the survival craft station must be kept with that station. Other items must be located convenient to the radio room.

(b) The testing equipment must include an instrument or instruments for measuring A.C. volts, D.C. volts and ohms.

[51 FR 31213, Sept. 2, 1986, as amended at 63 FR 29660, June 1, 1998]

EFFECTIVE DATE NOTE: At 68 FR 46973, Aug. 7, 2003, § 80.835 was removed, effective October 6, 2003.

§ 80.836 General exemptions.

(a) General small passenger vessel exemptions, applicable to certain U.S. passenger vessels of less than 100 gross tons, are contained in subpart S of this part.

(b) All newly constructed U.S. cargo vessels of 1600 gross tons and upward are exempt from the radiotelegraph and radio direction finding provisions of Part II of Title III of the Communications Act when navigated on sea trials, not more than 150 nautical miles from the nearest land, if the following conditions are met:

(1) The vessel is equipped with a radiotelephone capable of operation on 2182 kHz and equipped with a radiotelephone alarm signal generator. The vessel may carry an additional portable radiotelephone, located in the wheelhouse, equipped with a radiotelephone alarm signal generator to

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satisfy the radiotelephone alarm signal generator requirement;

(2) The radio direction-finding apparatus is calibrated during the sea trials;

(3) A continuous watch is maintained in 2182 kHz whenever the radiotelephone is not being used for authorized traffic during the sea trials; and

(4) The local FCC Engineer in Charge is advised of the dates and routes of the sea trials.

(c) Prior to February 1, 1999, cargo ships of 1600 gross tons and upward are exempt from the radiotelegraph requirements of Part II of Title III of the Communications Act, if the following criteria are met:

(1) The ship operates on domestic voyages only. For purposes of this paragraph, the term domestic voyages includes ports in Alaska, U.S. possessions in the Caribbean, and along the coasts of the 48 contiguous states, so long as the vessel does not make port at a foreign destination;

(2) The routes of the voyage are never more than 150 nautical miles from the nearest land; and,

(3) The ship complies fully with all of the following conditions. The ship must:

(i) Be equipped with a satellite ship earth station providing both voice and telex, which has been certificated for GMDSS use;

(ii) Be equipped with a VHF and MF radiotelephone installation which complies fully with subpart R of this part and has the additional capability of operating on the HF frequencies listed in § 80.369(b) for distress and safety communications (this capability may be added to the MF radiotelephone installation);

(iii) Be equipped with a narrow-band direct-printing radiotelegraph system with SITOR meeting the requirements of § 80.219;

(iv) Be equipped with at least two VHF transceivers capable of being powered by the reserve power supply (one of the VHF transceivers may be the VHF required by paragraph (c)(3)(ii) of this section);

(v) Be equipped with a Category 1, 406 MHz EPIRB meeting the requirements of § 80.1061;

(vi) Be equipped with a NAVTEX receiver meeting the requirements of § 80.1101(c)(1);

(vii) Be equipped with three two-way VHF radiotelephone apparatus and two radar transponders in accordance with § 80.1095;

(viii) In addition to the main power source, be equipped with an emergency power source which complies with all applicable rules and regulations of the U.S. Coast Guard (the satellite earth station, the narrow-band direct-printing equipment and the 500 kHz autoalarm receiver must be capable of being powered by the main and emergency power sources);

(ix) Be equipped with a 500 kHz autoalarm receiver and a means of recording or decoding any distress signal received for relay to the Coast Guard or a public coast station;

(x) Participate in the AMVER system when on voyages of more than twenty-four hours and have the capability of operating on at least four of the AMVER HF duplex channels;

(xi) Carry at least one licensed operator to operate and maintain all the ship's distress and safety radio communications equipment in accordance with §§ 80.159(c) and 80.169; and,

(xii) Maintain a continuous watch on 2182 kHz and 156.8 MHz, in accordance with § 80.305(b), when navigated.

(d) Subject to a determination by the United States Coast Guard pursuant to Public Law No. 104-104, 110 Stat. 56 (1996) at Section 206, each U.S. passenger vessel and each U.S. cargo vessel of 1,600 gross tons and upward is exempt from the radiotelegraph provisions of part II of title III of the Communications Act, provided that the vessel complies fully with the requirements for the Global Maritime Distress & Safety System (GMDSS) contained in subpart W of this part and obtains either a Safety Certificate or endorsement as described in § 80.1067.

NOTE TO PARAGRAPH (d): In a letter to the Commission, dated March 13, 1996, the United States Coast Guard noted that it may rely on the Safety Certificate or endorsement described in § 80.1067 as prima facie evidence that the GMDSS has been installed and found to be operating properly. The Coast Guard also stated that it retains the authority for ensuring overall vessel safety and

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compliance with all applicable domestic and international laws, regulations and treaties.

(e) These exemptions may be terminated at any time without hearing if, in the Commission's discretion, the need for such action arises.

[51 FR 31213, Sept. 2, 1986, as amended at 56 FR 19301, Apr. 26, 1991; 60 FR 58244, Nov. 27, 1995; 61 FR 19559, May 2, 1996, 63 FR 36607, July 7, 1998]

EFFECTIVE DATE NOTE: At 68 FR 46973, Aug. 7, 2003, §80.836 was removed, effective October 6, 2003.

Subpart R—Compulsory Radiotelephone Installations for Vessels 300 Gross Tons

§ 80.851 Applicability.

(a) The radiotelephone requirements of Part II of Title III of the Communications Act apply to cargo ships of 300 gross tons and upward but less than 1600 gross tons. The radiotelephone requirements of the Safety Convention apply to passenger ships irrespective of size and cargo ships of 300 gross tons and upward on international voyages. These ships are required to carry a radiotelephone installation complying with this subpart.

(b) Until February 1, 1999, the inspection of all cargo vessels equipped with a radiotelephone installation operated on domestic or international voyages must be conducted by an FCC-licensed technician in accordance with §80.59 once every 12 months. If the ship passes the inspection the technician will issue a Safety Certificate. Cargo Ship Safety Radio Certificates may be obtained from the Commission's National Call Center—(888) 225-5322—or from its forms contractor.

[51 FR 31213, Sept. 2, 1986, as amended at 63 FR 29660, June 1, 1998]

EFFECTIVE DATE NOTE: At 68 FR 46973, Aug. 7, 2003, §80.851 was revised, effective October 6, 2003. For the convenience of the user, the revised text is set forth as follows:

§ 80.851 Applicability.

The radiotelephone requirements of this subpart are applicable to all compulsory ships which are not required to comply with subpart W of this part in total or in part because they have received an exemption from all or some of the subpart W provisions.

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§ 80.853 Radiotelephone station.

(a) The radiotelephone station is a radiotelephone installation and other equipment necessary for the proper operation of the installation.

(b) The radiotelephone station must be installed to insure safe and effective operation of the equipment and to facilitate repair. Adequate protection must be provided against the effects of vibration, moisture, and temperature.

(c) The radiotelephone station and all necessary controls must be located at the level of the main wheelhouse or at least one deck above the ship's main deck.

(d) The principal operating position of the radiotelephone station must be in the room from which the ship is normally steered while at sea. In installations on cargo ships of 300 gross tons and upwards but less than 500 gross tons on which the keel was laid prior to January 1, 1965, the location of the principal operating controls may be in a room adjoining and opening into the room from which the vessel is normally steered while at sea. If the station can be operated from any location other than the principal operating position, a positive means must be provided at the principal operating position to take full control of the station.

(e) The use of a independent communication system between the principal operating position and all other operating locations is acceptable as a method for taking control at the principal operating position. For stations first placed in service on or after June 1, 1956 the use of this method for taking control at the principal operating position is acceptable only for operating locations in the chartroom or master's quarters.

EFFECTIVE DATE NOTE: At 68 FR 46973, Aug. 7, 2003, §80.853 was amended by removing paragraph (e), effective October 6, 2003.

§ 80.854 Radiotelephone installation.

The radiotelephone installation includes:

- (a) A radiotelephone transmitter;
- (b) A receiver as specified in §80.858(a);
- (c) A radiotelephone distress frequency watch receiver specified in §80.269;