

§ 80.90

EFFECTIVE DATE NOTE: At 68 FR 46960, Aug. 7, 2003, § 80.89 was amended by removing paragraph (e) and redesignating paragraphs (f) and (g) as paragraphs (e) and (f) effective October 6, 2003.

§ 80.90 Suspension of transmission.

Transmission must be suspended immediately upon detection of a transmitter malfunction and must remain suspended until the malfunction is corrected, except for transmission concerning the immediate safety of life or property, in which case transmission must be suspended as soon as the emergency is terminated.

§ 80.91 Order of priority of communications.

(a) The order of priority of radiotelegraph communications is as follows:

(1) Distress calls including the international distress signal for radiotelegraphy, the international radiotelegraph alarm signal, the international radiotelephone alarm signal, distress messages and distress traffic.

(2) Communications preceded by the international radiotelegraph urgency signal.

(3) Communications preceded by the international radiotelegraphy safety signal.

(4) Communications relative to radio direction-finding bearings.

(5) Communications relative to the navigation and safe movement of aircraft.

(6) Communications relative to the navigation, movements, and needs of ships, including weather observation messages destined for an official meteorological service.

(7) Government communications for which priority right has been claimed.

(8) Service communications relating to the working of the radiocommunication service or to communications previously transmitted.

(9) All other communications.

(b) The order of priority of radiotelephone communications is as follows:

(1) Distress calls including the international distress signal for radiotelephony, the international radiotelephone alarm signal, distress messages and distress traffic.

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(2) Communications preceded by the international radiotelephone urgency signal, or known to the station operator to consist of one or more urgent messages concerning the safety of a person, aircraft or other mobile unit.

(3) Communications preceded by the international radiotelephone safety signal, or known to the station operator to consist of one or more messages concerning the safety of navigation or important meteorological warnings.

(4) Communications known by the station operator to consist of one or more messages relative to the navigation, movements and needs of ships, including weather observation messages destined for an official meteorological service.

(5) Government communications for which priority right has been claimed.

(6) All other communications.

EFFECTIVE DATE NOTE: At 68 FR 46960, Aug. 7, 2003, § 80.91 was revised effective October 6, 2003. For the convenience of the user, the revised text is set forth as follows:

§ 80.91 Order of priority of communications.

(a) All stations in the maritime mobile service and the maritime mobile-satellite service shall be capable of offering four levels of priority in the following order:

(1) Distress calls, distress messages, and distress traffic.

(2) Urgency communications.

(3) Safety communications.

(4) Other communications.

(b) In a fully automated system, where it is impracticable to offer all four levels of priority, category 1 shall receive priority until such time as intergovernmental agreements remove exemptions granted for such systems from offering the complete order of priority.

§ 80.92 Prevention of interference.

(a) The station operator must determine that the frequency is not in use by monitoring the frequency before transmitting, except for transmission of signals of distress.

(b) When a radiocommunication causes interference to a communication which is already in progress, the interfering station must cease transmitting at the request of either party to the existing communication. As between nondistress traffic seeking to commence use of a frequency, the priority is established under § 80.91.

(c) Except in cases of distress, communications between ship stations or

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between ship and aircraft stations must not interfere with public coast stations. The ship or aircraft stations which cause interference must stop transmitting or change frequency upon the first request of the affected coast station.

§ 80.93 Hours of service.

(a) *All stations.* All stations whose hours of service are not continuous must not suspend operation before having concluded all communication required in connection with a distress call or distress traffic.

(b) *Public coast stations.* (1) Each public coast station whose hours of service are not continuous must not suspend operation before having concluded all communication involving messages or calls originating in or destined to mobile stations within range and mobile stations which have indicated their presence.

(2) Unless otherwise authorized by the Commission upon adequate showing of need, each public coast station authorized to operate on frequencies in the 3000-23,000 kHz band must maintain continuous hours of service.

(c) *Compulsory ship stations.* Compulsory ship stations whose service is not continuous may not suspend operation before concluding all traffic originating in or destined for public coast stations situated within their range and mobile stations which have indicated their presence.

(d) *Other than public coast or compulsory ship stations.* The hours of service of stations other than public coast or compulsory ship stations are determined by the station licensee.

EFFECTIVE DATE NOTE: At 68 FR 46960, Aug. 7, 2003, §80.93 was amended by redesignating paragraph (d) as paragraph (e), adding a new paragraph (d), and revising paragraph (c) and newly designated paragraph (e) effective October 6, 2003. For the convenience of the user the revised and added text is set forth as follows:

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(c) *Compulsory ship stations.* (1) Compulsory ship stations whose service is not continuous may not suspend operation before concluding all traffic originating in or destined for public coast stations situated within their range

and mobile stations which have indicated their presence.

(2) For GMDSS ships, radios shall be turned on and set to proper watch channels while ships are underway. If a ship has duplicate GMDSS installations for DSC or INMARSAT, only one of each must be turned on and keeping watch.

(d) *Ships voluntarily fitting GMDSS subsystems.* For ships voluntarily fitting GMDSS subsystems, radios shall be turned on and set to proper watch channels while ships are underway. If ship has duplicate GMDSS installations for DSC or INMARSAT, only one of each must be turned on and keeping watch.

(e) *Other than public coast or compulsory ship stations.* The hours of service of stations other than those described in paragraphs (b), (c), and (d) of this section are determined by the station licensee.

§ 80.94 Control by coast or Government station.

When communicating with a coast station or any Government station in the maritime mobile service, ship stations must comply with the instruction given by the coast station or Government station relative to the order and time of transmission, the choice of frequency, the suspension of communication and the permissible type of message traffic that may be transmitted. This provision does not apply in the event of distress.

§ 80.95 Message charges.

(a) Charges must not be made for service of:

(1) Any public coast station unless tariffs for the service are on file with the Commission;

(2) Any station other than a public coast station or an Alaska—public fixed station, except cooperatively shared stations covered by §80.503;

(3) Distress calls and related traffic; and

(4) Navigation hazard warnings preceded by the SAFETY signal.

(b) The licensee of each ship station is responsible for the payment of all charges accruing to any other station(s) or facilities for the handling or forwarding of messages or communications transmitted by that station.

(c) In order to be included in the ITU List of Coast Stations public coast stations must recognize international Accounting Authority Identification Codes (AAIC) for purposes of billing