

Federal Communications Commission

§ 74.15

(c) Low power auxiliary stations (subpart H).

[44 FR 58735, Oct. 11, 1979, as amended at 44 FR 77167, Dec. 31, 1979; 47 FR 28388, June 30, 1982]

§ 74.13 Equipment tests.

(a) During the process of construction of any class of radio station listed in this part, the permittee, without further authority of the Commission, may conduct equipment tests for the purpose of such adjustments and measurements as may be necessary to assure compliance with the terms of the construction permit, the technical provisions of the application therefor, the technical requirements of this chapter, and the applicable engineering standards.

(b) Equipment tests may be continued so long as the construction permit shall remain valid.

(c) The authorization for tests embodied in this section shall not be construed as constituting a license to operate.

[38 FR 18378, July 10, 1973]

§ 74.14 Service or program tests.

(a) Upon completion of construction of a radio station in accordance with the terms of the construction permit, the technical provisions of the application therefor, technical requirements of this chapter, and applicable engineering standards, and when an application for station license has been filed showing the station to be in satisfactory operating condition, the permittee or any class of station listed in this part may, without further authority of the Commission, conduct service or program tests.

(b) Program test authority for stations authorized under this part will continue valid during Commission consideration of the application for license and during this period further extension of the construction permit is not required. Program test authority shall be automatically terminated with final action on the application for station license.

(c) The authorization for tests embodied in this section shall not be con-

strued as approval by the Commission of the application for station license.

[38 FR 18378, July 10, 1973]

§ 74.15 Station license period.

(a) Licenses for experimental broadcast stations will be issued for a one year period.

(b) Licenses for stations or systems in the Auxiliary Broadcast Service held by a licensee of a broadcast station will be issued for a period running concurrently with the license of the associated broadcast station with which it is licensed. Licenses held by eligible networks for the purpose of providing program service to affiliated stations under subpart D of this part, and by eligible networks, cable television operators, motion picture producers and television program producers under subpart H of this part will be issued for a period running concurrently with the normal licensing period for broadcast stations located in the same area of operation.

(c) The license of an FM broadcast booster station or a TV broadcast booster station will be issued for a period running concurrently with the license of the FM radio broadcast station or TV broadcast station (primary station) with which it is used.

(d) Initial licenses for low power TV, TV translator, and FM translator stations will ordinarily be issued for a period running until the date specified in § 73.1020 of this chapter for full service stations operating in their State or Territory, or if issued after such date, to the next renewal date determined in accordance with § 73.1020 of this chapter. Lower power TV and TV translator station and FM translator station licenses will ordinarily be renewed for 8 years. However, if the FCC finds that the public interest, convenience or necessity will be served, it may issue either an initial license or a renewal thereof for a lesser term. The FCC may also issue a license renewal for a shorter term if requested by the applicant. The time of expiration of all licenses will be 3 a.m. local time, on the following dates, and thereafter to the schedule for full service stations in their states as reflected in § 73.1020 of this chapter:

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- (1) Nevada:
 - (i) FM translators, February 1, 1997.
 - (ii) LPTV and TV translator, February 1, 1998.
- (2) California:
 - (i) FM translators, April 1, 1997.
 - (ii) LPTV and TV translators, April 1, 1998
- (3) Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Delaware, West Virginia, Ohio and the District of Columbia:
 - (i) FM translators, June 1, 1997
 - (ii) LPTV and TV translators, June 1, 1998
- (4) Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Missouri, Kentucky, Tennessee, Indiana, Illinois, Michigan, Wisconsin, Puerto Rico and the Virgin Islands:
 - (i) FM translators, August 1, 1997
 - (ii) LPTV and TV translators, August 1, 1998
- (5) Oklahoma and Texas:
 - (i) FM translators, October 1, 1997
 - (ii) LPTV and TV translators, October 1, 1998
- (6) Kansas and Nebraska:
 - (i) FM translators, December 1, 1997
 - (ii) LPTV and TV translators, December 1, 1998
- (7) Iowa and South Dakota:
 - (i) FM translators, February 1, 1998
 - (ii) LPTV and TV translators, February 1, 1999
- (8) Minnesota and North Dakota:
 - (i) FM translators, April 1, 1998
 - (ii) LPTV and TV translators, April 1, 1999
- (9) Wyoming:
 - (i) FM translators, June 1, 1998
 - (ii) LPTV and TV translators, June 1, 1999
- (10) Montana:
 - (i) FM translators, August 1, 1998
 - (ii) LPTV and TV translators, August 1, 1999
- (11) Idaho:
 - (i) FM translators, October 1, 1995
 - (ii) LPTV and TV translators, October 1, 1996
- (12) Washington:
 - (i) FM translators, December 1, 1995
 - (ii) LPTV and TV translators, December 1, 1996
- (13) Oregon:
 - (i) FM translators, February 1, 1996
 - (ii) LPTV and TV translators, February 1, 1997
- (14) Alaska, American Samoa, Guam, Mariana Islands and Hawaii:
 - (i) FM translators, April 1, 1996
 - (ii) LPTV and TV translators, April 1, 1997
- (15) Colorado:
 - (i) FM translators, June 1, 1996
 - (ii) LPTV and TV translators, June 1, 1997
- (16) New Mexico:
 - (i) FM translators, August 1, 1996
 - (ii) LPTV and TV translators, August 1, 1997
- (17) Utah:
 - (i) FM translators, October 1, 1996
 - (ii) LPTV and TV translators, October 1, 1997
- (18) Arizona:
 - (i) FM translators, December 1, 1996
 - (ii) LPTV and TV translators, December 1, 1997
- (e) Licenses held by broadcast network-entities under Subpart F will ordinarily be issued for a period of 8 years running concurrently with the normal licensing period for broadcast stations located in the same area of operation. An application for renewal of license shall be filed in accordance with the provisions of § 1.949.
- (f) The license of an experimental broadcast station, FM translator or FM broadcast booster, TV translator or TV broadcast booster, or low power TV station will expire as a matter of law upon failure to transmit broadcast signals for any consecutive 12-month period notwithstanding any provision, term, or condition of the license to the contrary. Further, if the license of any AM, FM, or TV broadcasting station licensed under part 73 of this chapter expires for failure to transmit signals for any consecutive 12-month period, the licensee's authorizations under part 74, subparts D, E, F, and H in connection with the operation of that AM, FM, or TV broadcasting station will also expire notwithstanding any provision, term, or condition to the contrary.

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(Secs. 4, 5, 303, 48 Stat., as amended, 1066, 1068, 1082 (47 U.S.C. 154, 155, 303))

[28 FR 13706, Dec. 14, 1963, as amended at 49 FR 32583, Aug. 15, 1984; 50 FR 26758, June 28, 1985; 52 FR 7142, Mar. 9, 1987; 52 FR 25604, July 8, 1987; 52 FR 31402, Aug. 20, 1987; 59 FR 63052, Dec. 7, 1994; 61 FR 28767, June 6, 1996; 62 FR 5347, Feb. 5, 1997; 68 FR 12761, Mar. 17, 2003; 69 FR 72045, Dec. 10, 2004]

§ 74.16 Temporary extension of station licenses.

Where there is pending before the Commission any application, investigation, or proceeding which, after hearing, might lead to or make necessary the modification of, revocation of, or the refusal to renew an existing auxiliary or experimental broadcast station license or a television broadcast translator station license, the Commission in its discretion, may grant a temporary extension of such license: *Provided, however,* That no such temporary extension shall be construed as a finding by the Commission that the operation of any radio station thereunder will serve public interest, convenience, and necessity beyond the express terms of such temporary extension of license: *And provided further,* That such temporary extension of license will in no wise affect or limit the action of the Commission with respect to any pending application or proceeding.

[28 FR 13706, Dec. 14, 1963, as amended at 37 FR 25843, Dec. 5, 1972]

§ 74.18 Transmitter control and operation.

Except where unattended operation is specifically permitted, the licensee of each station authorized under the provisions of this part shall designate a person or persons to activate and control its transmitter. At the discretion of the station licensee, persons so designated may be employed for other duties and for operation of other transmitting stations if such other duties will not interfere with the proper operation of the station transmission systems.

[60 FR 55482, Nov. 1, 1995]

§ 74.19 Special technical records.

The FCC may require a broadcast auxiliary station licensee to keep operating and maintenance records nec-

essary to resolve conditions of actual or potential interference, rule violations, or deficient technical operation.

[48 FR 38482, Aug. 24, 1983]

§ 74.21 Broadcasting emergency information.

(a) In an emergency where normal communication facilities have been disrupted or destroyed by storms, floods or other disasters, the stations licensed under this part may be operated for the purpose of transmitting essential communications intended to alleviate distress, dispatch aid, assist in rescue operations, maintain order, or otherwise promote the safety of life and property. In the course of such operation, a station of any class may communicate with stations of other classes and in other services. However, such operation shall be conducted only on the frequency or frequencies for which the station is licensed and the used power shall not exceed the maximum authorized in the station license. When such operation involves the use of frequencies shared with other stations, licensees are expected to cooperate fully to avoid unnecessary or disruptive interference.

(b) Whenever such operation involves communications of a nature other than those for which the station is licensed to perform, the licensee shall, at the earliest practicable time, notify the FCC in Washington, DC of the nature of the emergency and the use to which the station is being put and shall subsequently notify the same offices when the emergency operation has been terminated.

(c) Emergency operation undertaken pursuant to the provisions of this section shall be discontinued as soon as substantially normal communications facilities have been restored. The Commission may at any time order discontinuance of such operation.

(Secs. 4, 5, 303, 48 Stat., as amended, 1066, 1068, 1082 (47 U.S.C. 154, 155, 303))

[28 FR 13706, Dec. 14, 1963, as amended at 37 FR 25843, Dec. 5, 1972; 44 FR 65765, Nov. 15, 1979; 47 FR 40175, Sept. 13, 1982]