

Subpart B -- Station Operation Standards S 97.101 General standards.

(a) In all respects not specifically covered by FCC Rules each amateur station must be operated in accordance with good engineering and good amateur practice.

(b) Each station licensee and each control operator must cooperate in selecting transmitting channels and in making the most effective use of the amateur service frequencies. no frequency will be assigned for the exclusive use of any station.

(c) At all times and on all frequencies, each control operator must give priority to stations providing emergency communications, except to stations transmitting communications for training drills and tests in RACES.

(d) No amateur operator shall willfully or maliciously interfere with or cause interference to any radio communication or signal.

S 97.103 Station licensee responsibilities.

(a) The station licensee is responsible for the proper operation of the station in accordance with the FCC Rules. When the control operator is a different amateur operator than the station licensee, both persons are equally responsible for proper operation of the station.

(b) The station licensee must designate the station control operator. The FCC will presume that the station licensee is also the control operator, unless documentation to the contrary is in the station records.

(c) The station licensee must make the station and the station records available for inspection upon request by an FCC representative. When deemed necessary by an EIC to assure compliance with the FCC Rules, the station licensee must maintain a record of station operations containing such items of information as the EIC may require in accord with S 0.314(x) of the FCC Rules.

S 97.105 Control operator duties.

(a) The control operator must ensure the immediate proper operation of the station, regardless of the type of control.

(b) A station may only be operated in the manner and to the extent permitted by the privileges authorized for the class of operator license held by the control operator.

S 97.107 Alien control operator privileges.

(a) The privileges available to a control operator holding an amateur service license issued by the Government of Canada are:

(1) The terms of the Convention Between the United States and Canada (TIAS no. 2508) Relating to the Operation by Citizens of Either Country of Certain Radio Equipment or Stations

in the Other country;

(2) The operating terms and conditions of the amateur service license issued by the Government of Canada; and

(3) The applicable provisions of the FCC Rules, but not to exceed the control operator privileges of an FCC-issued Amateur Extra Class operator license.

(b) The privileges available to a control operator holding an FCC-issued reciprocal permit for alien amateur licensee are:

(1) The terms of the agreement between the alien's government and the United States;

(2) The operating terms and conditions of the amateur service license issued by the alien's government;

(3) The applicable provisions of the FCC Rules, but not to exceed the control operator privileges of an FCC-issued Amateur Extra Class operator license; and

(4) None, if the holder of the reciprocal permit has obtained an FCC-issued operator/primary station license.

(c) At any time the FCC may, in its discretion, modify, suspend, or cancel the amateur service privileges within or over any area where radio services are regulated by the FCC of any Canadian amateur service licensee or alien reciprocal permittee.

S 97.109 Station control.

(a) Each amateur station must have at least one control point.

(b) When a station is being locally controlled, the control operator must be at the control point. Any station may be locally controlled.

(c) When a station is being remotely controlled, the control operator must be at the control point. Any station may be remotely controlled.

(d) When a station is being automatically controlled, the control operator need not be at the control point. Only stations specifically designated elsewhere in this Part may be automatically controlled. Automatic control must cease upon notification by an EIC that the station is transmitting improperly or causing harmful interference to other stations. Automatic control must not be resumed without prior approval of the EIC.

(d) No station may be automatically controlled while transmitting third-party traffic, except a station retransmitting digital packet radio communications on the 6 m and shorter wavelength bands. Such stations must be using the American Radio Relay League, Inc. AX.25 Amateur Packet -- Radio Link -- Layer Protocol, Version 2.0, October 1984 (or compatible). The retransmitted messages must originate at a station that is being locally or remotely controlled.

S 97.111 Authorized transmissions.

(a) An amateur station may transmit the following types of two-way communications:

(1) Transmissions necessary to exchange messages with other stations in the amateur service, except those in any country whose administration has given notice that it objects to such communications. The FCC will issue public notices of current arrangements for international communications;

(2) Transmissions necessary to exchange messages with a station in another FCC-regulated service while providing emergency communications;

(3) Transmissions necessary to exchange messages with a United States government station, necessary to providing communications in RACES; and

(4) Transmissions necessary to exchange messages with a station in a service not regulated by the FCC, but authorized by the FCC to communicate with amateur stations. An amateur station may exchange messages with a participating United States military station during an Armed Forces Day Communications Test.

(b) In addition to one-way transmissions specifically authorized elsewhere in this Part, an amateur station may transmit the following types of one-way communications:

(1) Brief transmissions necessary to make adjustments to the station;

(2) Brief transmissions necessary to establishing two-way communications with other stations;

(3) Transmissions necessary to remotely control a device from a distant location;

(4) Transmissions necessary to providing emergency communications;

(5) Transmissions necessary to assisting persons learning, or improving proficiency in, the international Morse code; and

(6) Transmissions necessary to disseminate information bulletins.

S 97.113 Prohibited transmissions.

(a) No amateur station shall transmit any communication the purpose of which is to facilitate the business or commercial affairs of any party. No station shall transmit communications as an alternative to other authorized radio services, except as necessary to providing emergency communications. A station may, however, transmit communications to:

(1) Facilitate the public's safe observation of, or safe participation in, a parade, race, marathon or similar public gathering. No amateur station shall transmit communications

concerning moving, supplying and quartering observers and participants for any sponsoring organization unless the principal beneficiary of such communications is the public and any benefit to the sponsoring organization is incidental.

(2) Inform other amateur operators of the availability of apparatus normally used in an amateur station, including such apparatus for sale or trade. This exception is not authorized to any person seeking to derive a profit by buying or selling such apparatus on a regular basis.

(b) No station shall transmit messages for hire or for material compensation, direct or indirect, paid or promised. The control operator of a club station, however, may accept compensation for such periods of time during which the station is transmitting telegraphy practice or information bulletins provided that:

(1) The station transmits the telegraphy practice and information bulletins for at least 40 hours per week;

(2) The station schedules operations on all amateur service MF and HF bands using reasonable measures to maximize coverage;

(3) The schedule of normal operating times and frequencies is published at least 30 days in advance of the actual transmissions; and

(4) The control operator does not accept any direct or indirect compensation for periods during which the station is transmitting any other material.

(c) No station shall transmit communications in order to engage in any form of broadcasting, nor to engage in any activity related to program production or newsgathering for broadcasting purposes. A station may, however, transmit communications to convey news information about an event for dissemination to the public when the following conditions are present:

(1) The information involves the immediate safety of life of individuals or the immediate protection of property;

(2) The information is directly related to the event;

(3) The information cannot be transmitted by any other means because normal communications systems have been disrupted or because there are no other communication systems available at the place where the information is originated; and

(4) Other means of communication could not be reasonably provided before or at the time of the event.

(d) No station shall transmit: music; radiocommunications or messages for any purpose, or in connection with any activity, that is contrary to federal, state, or local law; messages in code or ciphers where the intent is to obscure the meaning (except where specifically excepted elsewhere in this Part); obscene, indecent, or profane words, language, or meaning; and/or false

or deceptive messages or signals.

(3) No station shall retransmit programs or signals emanating from any type of radio station other than an amateur station, except communications originating on United States Government frequencies between a space shuttle and its associated Earth stations. Prior approval for such retransmissions must be obtained from the National Aeronautics and Space Administration. Such retransmissions must be for the exclusive use of amateur operators.

(f) No amateur station, except an auxiliary, repeater or space station, may automatically retransmit the radio signals of other amateur stations.

#### S 97.115 Third party communications.

(a) An amateur station may transmit messages for a third party to:

(1) Any station within the jurisdiction of the United States.

(2) Any station within the jurisdiction of any foreign government whose administration has made arrangements with the United States to allow amateur stations to be used for transmitting international communications on behalf of third parties. No station shall transmit messages for a third party to any station within the jurisdiction of any foreign government whose administration has not made such an arrangement. This prohibition does not apply to a message for any third party who is eligible to be a control operator of the station.

(b) The third party may participate in stating the message where:

(1) The control operator is present at the control point and is continuously monitoring and supervising the third party's participation; and

(2) The third party is not a prior amateur service licensee whose license was revoked; suspended for less than the balance of the license term and the suspension is still in effect; suspended for the balance of the license term and relicensing has not taken place; or surrendered for cancellation following notice of revocation, suspension or monetary forfeiture proceedings. The third party may not be the subject of a cease and desist order which relates to amateur service operation and which is still in effect.

(c) At the end of an exchange of international third party communications, the station must also transmit in the station identification procedure the call sign of the station with which a third party message was exchanged.

#### S 97.117 International communications.

Transmissions to a different country, where permitted, shall be made in plain language and shall be limited to messages of a technical nature relating to tests, and, to remarks of a personal character for which, by reason of their unimportance, recourse to the public telecommunications service is not justified.

## S 97.119 Station identification.

(a) Each amateur station, except a space station or telecommand station, must transmit its assigned call sign on its transmitting channel at the end of each communication, and at least every 10 minutes during a communication, for the purpose of clearly making the source of the transmissions from the station known to those receiving the transmissions. No station may transmit unidentified communications or signals, or transmit as the station call sign, any call sign not authorized to the station.

(b) The call sign must be transmitted with an emission authorized for the transmitting channel in one of the following ways:

(1) By a CW emission. When keyed by an automatic device used only for identification, the speed must not exceed 20 words per minute;

(2) By a phone emission in the English language. Use of a phonetic alphabet as an aid for correct station identification is encouraged;

(3) By a RTTY emission when all or part of the communications are transmitted in the same digital code as the station identification, or when the communications consist of a data emission transmitted on the VHF 6 m or shorter wavelength band;

(4) By an image emission conforming to the applicable transmission standards, either color or monochrome, of S 73.682(a) of the FCC Rules when all or part of the communications are transmitted in the same image emission; or

(5) By a CW or phone emission during SS emission transmission on a narrow bandwidth frequency segment. Alternatively, by the changing of one or more parameters of the emission so that a conventional CW or phone emission receiver can be used to determine the station call sign.

(c) An indicator may be included with the call sign. It must be separated from the call sign by the slant mark or by any suitable word that denotes the slant mark.

(d) When the operator license class held by the control operator exceeds that of the station licensee, an indicator consisting of the call sign assigned to the control operator's station must be included after the call sign.

(e) When the control operator is using privileges on the basis of holding a CSCE, an indicator must be included after the call sign as follows:

(1) KT for Technician Class operator;

(2) AG for General Class operator;

(3) AA for Advanced Class operator; or

(4) AE for Amateur Extra Class operator.

(f) When the station is transmitting under the authority of a reciprocal permit for alien amateur licensee, an indicator consisting of the appropriate letter-numeral designating the station location must be included before the call sign issued to the station by the licensing country. When the station is transmitting under the authority of an amateur service license issued by the Government of Canada, a station location indicator must be included after the call sign. At least once during each intercommunication, the identification announcement must include the geographical location as nearly as possible by city and state, commonwealth or possession.

(g) A self-assigned indicator may be included after the call sign. The identifier must not conflict with any other indicator specified by the FCC Rules or by a prefix assigned to another country.

#### S 97.121 Restricted operation.

(a) If the operation of an amateur station causes general interference to the reception of transmissions from stations operating in the domestic broadcast service when receivers of good engineering design, including adequate selectivity characteristics, are used to receive such transmissions, and this fact is made known to the amateur station licensee, the amateur station shall not be operated during the hours from 8 p.m. to 10:30 p.m., local time, and on Sunday for the additional period from 10:30 a.m. until 1 p.m., local time, upon the frequency or frequencies used when the interference is created.

(b) In general, such steps as may be necessary to minimize interference to stations operating in other services may be required after investigation by the FCC.