

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Parts 80 and 87**

[CC Docket No. 96–82, FCC 96–145]

Operation of Certain Domestic Ship and Aircraft Radio Stations Without Individual Licenses**AGENCY:** Federal Communications Commission.**ACTION:** Interim rule.

SUMMARY: This interim rule amends the Federal Communications Commission's (Commission) rules regarding ship and aircraft radio stations, to remove the individual radio licensing requirement and to authorize by rule the operation of radio equipment on recreational vessels and aircraft. The rules are effective immediately pending a proceeding to consider amending the Commission's rules. A Notice of Proposed Rulemaking concerning these rules is published concurrently in the Federal Register. The Commission finds that while receipt of public comment is necessary to make a final determination of public interest regarding the repeal of licensing rules for recreational vessels and aircraft, it is not in the public interest to continue requiring such applications to be filed pending consideration of the proposed rules. The basis for this finding is that this interim rule will immediately reduce the regulatory burdens on the public and the Commission, and avoid the need to return thousands of applications and regulatory fees if the proposals in this proceeding are ultimately adopted. The interim rule does not make licensees eligible for a partial refund of user fees. However, if the interim rules are adopted as final, such licensees may at that time be eligible for a partial refund of user fees pursuant to 47 CFR 1.1159. The Commission further believes that the interim rules are necessary to avoid confusion and regulatory uncertainty in the marine and aviation communities. Moreover, the Commission does not believe that any party will be harmed by implementation of the interim rules,

pending completion of the rulemaking proceeding.

EFFECTIVE DATE: April 12, 1996.

FOR FURTHER INFORMATION CONTACT: Susan Magnotti, Private Wireless Division, Wireless Telecommunications Bureau, (202) 418–0871, or at smagnott@fcc.gov.

SUPPLEMENTARY INFORMATION: As required by the Regulatory Flexibility Act, it is hereby certified that this rule will not have a significant impact on small business entities.

List of Subjects**47 CFR Part 80**

Radio, Vessels.

47 CFR Part 87

Radio.

Parts 80 and 87 of Chapter I of Title 47 of the Code of Federal Regulations, Parts 80 and 87, are amended as follows:

PART 80—STATIONS IN THE MARITIME SERVICES

1. The authority citation for Part 80 continues to read as follows:

Authority: Secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, unless otherwise noted. Interpret or apply 48 Stat. 1064–1068, 1081–1105, as amended; 47 U.S.C. 151–155, 301–609; 3 UST 3450, 3 UST 4726, 12 UST 2377.

2. Section 80.13 is revised to read as follows:

§ 80.13 Station license required.

(a) Except for those excluded in paragraph (c) of this section, stations in the maritime service must be licensed by the FCC either individually or by fleet.

(b) One ship station license will be granted for operation of all maritime services transmitting equipment on board a vessel.

(c) A ship station is licensed by rule and does not need an individual license issued by the FCC if the ship station is not subject to the radio equipment carriage requirements of the Communications Act or any other treaty or agreement to which the United States is signatory, the ship station does not

travel to foreign ports, and the ship station does not make international communications. A ship station licensed by rule is authorized to transmit radio signals using a marine radio operating in the 156–162 MHz band, any type of EPIRB, and any type of radar installation. All other transmissions must be authorized under a ship station license. Even though an individual license is not required, a ship station licensed by rule must be operated in accordance with all applicable operating requirements, procedures, and technical specifications found in this Part 80.

PART 87—AVIATION SERVICES

1. The authority citation for Part 87 continues to read as follows:

Authority: 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, unless otherwise noted. Interpret or apply 48 Stat. 1064–1068, 1081–1105, as amended; 47 U.S.C. 151–156, 301–609.

2. A new § 87.18 is added to read as follows:

§ 87.18 Station license required.

(a) Except for those excluded in paragraph (b) of this section, stations in the aviation service must be licensed by the FCC either individually or by fleet.

(b) An aircraft station is licensed by rule and does not need an individual license issued by the FCC if the aircraft station is not subject to the radio equipment carriage requirements of any statute, treaty, or agreement to which the United States is signatory, the aircraft station is on board a private aircraft, and the aircraft station does not make international flights or communications. Even though an individual license is not required, an aircraft station licensed by rule must be operated in accordance with all applicable operating requirements, procedures, and technical specifications found in this Part 87.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

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