

## Section 2: The Networks for Messages

### Topic 6d

#### The FCC Rulings for Emergency Communications, Drills and employees

### Objectives

#### Welcome to Topic 6d.

This chapter will introduce the student to Part 97 regulations that relate to Amateur Radio emergency communications.

#### Student Preparation required:

Read FCC Rules and Regulations for the Amateur Radio Service <http://www.arrl.org/part-97-amateur-radio>

### Introduction

On July 14, 2010, the Federal Communications Commission (FCC) issued a Report and Order — FCC 10-124 — amending the rules to permit Amateur Radio operators to transmit messages, *under certain limited circumstances*, during either government-sponsored or non-government-sponsored emergency and disaster preparedness drills, regardless of whether the operators are employees of entities participating in the drill.



### FCC 10-124

Although public safety land mobile radio systems are the primary means of radio-based communications for emergency responders, experience has shown that Amateur Radio has played an important role in preparation for, during, and in the aftermath of natural and man-made emergencies and disasters. We emphasize, however, that the amendment does not permit

communications unrelated to the drill or exercise being conducted.

## **Final Rules**

Part 97 of Chapter 1 of Title 47 of the Code of Federal Regulations is amended as follows:

### **§ 97.113 Prohibited transmissions.**

(a) No amateur station shall transmit:

(3) Communications in which the station licensee or control operator has a pecuniary interest, including communications on behalf of an employer, with the following exceptions:

(i) A station licensee or control station operator may participate on behalf of an employer in an emergency preparedness or disaster readiness test or drill, limited to the duration and scope of such test or drill, and operational testing immediately prior to such test or drill. Tests or drills that are not government-sponsored are limited to a total time of one hour per week; except that no more than twice in any calendar year, they may be conducted for a period not to exceed 72 hours.

(ii) An amateur operator may notify other amateur operators of the availability for sale or trade of apparatus normally used in an amateur station, provided that such activity is not conducted on a regular basis.

(iii) A control operator may accept compensation as an incident of a teaching position during periods of time when an amateur station is used by that teacher as a part of classroom instruction at an educational institution.

(iv) The control operator of a club station may accept compensation for the periods of time when the station is transmitting telegraphy practice or information bulletins, provided that the station transmits such telegraphy practice and bulletins for at least 40 hours per week; schedules operations on at least six amateur service MF and HF bands using reasonable measures to maximize coverage; where the schedule of normal operating times and frequencies is published at least 30 days in advance of the actual transmissions; and where the control operator does not accept any direct or indirect compensation for any other service as a control operator.

Note that not every amateur transmission from a work location is necessarily on behalf of an employer. For example, an ARES® member using an employer-provided station to check into a local ARES net as an individual is not necessarily transmitting on behalf of the employer. This is a new ruling for us all, and specific examples will be debated and discussed for a long time to come. Use your very best judgment. We all want to be helpful but keep Amateur Radio “amateur.”

### **§97.403 Safety of life and protection of property.**

No provision of these rules prevents the use by an amateur station of any means of radio communication at its disposal to provide essential communication needs in connection with the immediate safety of human life and immediate protection of property when normal communication systems are not available.

### **§97.405 Station in distress.**

(a) No provision of these rules prevents the use by an amateur station in distress of any means at its disposal to attract attention, make known its condition and location, and obtain assistance.

(b) No provision of these rules prevents the use by a station, in the exceptional circumstances described in paragraph (a) of this section, of any means of radio communications at its disposal to assist a station in distress.

## **Reference Links**

<http://www.arrl.org/files/file/Regulatory/March%208,%202018.pdf>

## **Activities**

1. Understand the FCC's ruling on drills and employees. Describe how this ruling may apply to you.

## **Welcome to Topic 6d Knowledge Review**

Please review the following questions to improve your understanding of this topic:

Question 1:

**What is a maximum amount of time a radio amateur can participate in a government-sponsored drill on behalf of their employer?**

- a) One hour.
- b) 72 hours twice a year.
- c) There is no limit.
- d) Never.

Question 2:

**What is the maximum amount of time a radio amateur can participate in a non-government-sponsored drill on behalf of their employer?**

- a) One hour a week.
- b) Never.
- c) There is no limit.
- d) No limit only if it is for a hospital.

Question 3:

**Your employer wants you to design and operate an Amateur Radio system between office buildings so his business can still function even if the phones and intranet are down. Your employer says that, for him or her, “No phone service is an emergency.” Should you do it?**

- a) Yes.
- b) No.