

Covered Service shall make disclosures required by this rule in a manner reasonably calculated to reach individual subscribers, with due consideration for subscriber preferences. Information posted on a provider's public Web site and/or within a subscriber portal accessed by logging through the provider's Web site are not sufficient to comply with these requirements.

(3) The disclosures required under this paragraph are in addition to, but may be combined with, any disclosures required under §9.5(e) of this chapter.

(e) *Obligation with respect to existing subscribers.* Providers are not obligated to offer for sale backup power options to or retrofit equipment for those who are subscribers as of the effective date listed in paragraph (f) of this section for the obligations in paragraph (b)(1) of this section, but shall provide such subscribers with the annual disclosures required by paragraph (d) of this section.

(f) *Effective dates of obligations.* (1) Except as noted in paragraphs (b)(2) and (f)(2) of this section, the obligations under paragraph (b) of this section are effective February 16, 2016, and the obligations under paragraph (d) of this section are effective 120 days after the Commission announces approval from the Office of Management and Budget.

(2) For a provider of a Covered Service that (together with any entities under common control with such provider) has fewer than 100,000 domestic retail subscriber lines, the obligations in paragraph (b)(1) of this section are effective August 11, 2016, the obligations in paragraph (b)(2) of this section are effective as prescribed therein, and the obligations under paragraph (d) of this section are effective 300 days after the Commission announces approval from the Office of Management and Budget.

(g) *Sunset date.* The requirements of this section shall no longer be in effect as of September 1, 2025.

[80 FR 62486, Oct. 16, 2015]

EFFECTIVE DATE NOTE: At 80 FR 62486, Oct. 16, 2015, §12.5 was added. Paragraph (b)(2) will become effective Feb. 13, 2019.

PART 13—COMMERCIAL RADIO OPERATORS

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AUTHORITY: Secs. 4, 303, 48 Stat. 1066, 1082 as amended; 47 U.S.C. 154, 303.

SOURCE: 58 FR 9124, Feb. 19, 1993, unless otherwise noted.

GENERAL

§ 13.1 Basis and purpose.

(a) *Basis.* The basis for the rules contained in this part is the Communications Act of 1934, as amended, and applicable treaties and agreements to which the United States is a party.

(b) *Purpose.* The purpose of the rules in this part is to prescribe the manner and conditions under which commercial radio operators are licensed by the Commission.

§ 13.3 Definitions.

The definitions of terms used in part 13 are:

(a) *COLEM.* Commercial operator license examination manager.

(b) *Commercial radio operator.* A person holding a license or licenses specified in §13.7(b).

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(c) *GMDSS*. Global Maritime Distress and Safety System.

(d) *FCC*. Federal Communications Commission.

(e) *International Morse Code*. A dot-dash code as defined in International Telegraph and Telephone Consultative Committee (CCITT) Recommendation F.1 (1984), Division B, I. Morse code.

(f) *ITU*. International Telecommunication Union.

(g) *PPC*. Proof-of-Passing Certificate.

(h) *Question pool*. All current examination questions for a designated written examination element.

(i) *Question set*. A series of examination questions on a given examination selected from the current question pool.

(j) *Radio Regulations*. The latest ITU *Radio Regulations* to which the United States is a party.

§ 13.5 Licensed commercial radio operator required.

Rules that require FCC station licensees to have certain transmitter operation, maintenance, and repair duties performed by a commercial radio operator are contained in parts 80 and 87 of this chapter.

[78 FR 23152, Apr. 18, 2013]

§ 13.7 Classification of operator licenses and endorsements.

(a) Commercial radio operator licenses issued by the FCC are classified in accordance with the Radio Regulations of the ITU.

(b) There are twelve types of commercial radio operator licenses, certificates and permits (licenses). The license's ITU classification, if different from its name, is given in parentheses.

(1) First Class Radiotelegraph Operator's Certificate. Beginning May 20, 2013, no applications for new First Class Radiotelegraph Operator's Certificates will be accepted for filing.

(2) Second Class Radiotelegraph Operator's Certificate. Beginning May 20, 2013, no applications for new Second Class Radiotelegraph Operator's Certificates will be accepted for filing.

(3) Third Class Radiotelegraph Operator's Certificate (radiotelegraph operator's special certificate). Beginning May 20, 2013, no applications for new

Third Class Radiotelegraph Operator's Certificates will be accepted for filing.

(4) Radiotelegraph Operator License.

(5) General Radiotelephone Operator License (radiotelephone operator's general certificate).

(6) Marine Radio Operator Permit (radiotelephone operator's restricted certificate).

(7) Restricted Radiotelephone Operator Permit (radiotelephone operator's restricted certificate).

(8) Restricted Radiotelephone Operator Permit-Limited Use (radiotelephone operator's restricted certificate).

(9) GMDSS Radio Operator's License (general operator's certificate).

(10) Restricted GMDSS Radio Operator's License (restricted operator's certificate).

(11) GMDSS Radio Maintainer's License (technical portion of the first-class radio electronic certificate).

(12) GMDSS Radio Operator/Maintainer License (general operator's certificate/technical portion of the first-class radio electronic certificate).

(c) There are three license endorsements affixed by the FCC to provide special authorizations or restrictions. Endorsements may be affixed to the license(s) indicated in parentheses.

(1) Ship Radar Endorsement (First and Second Class Radiotelegraph Operator's Certificates, Radiotelegraph Operator License, General Radiotelephone Operator License, GMDSS Radio Maintainer's License).

(2) Six Months Service Endorsement (First and Second Class Radiotelegraph Operator's Certificates, Radiotelegraph Operator License)

(3) Restrictive endorsements relating to physical disability, English language or literacy waivers, or other matters (all licenses).

(d) A Restricted Radiotelephone Operator Permit-Limited Use issued by the FCC to an aircraft pilot who is not legally eligible for employment in the United States is valid only for operating radio stations on aircraft.

(e) A Restricted Radiotelephone Operator Permit-Limited Use issued by the FCC to a person under the provision of Section 303(1)(2) of the Communications Act of 1934, as amended, is valid only for the operation of radio