

(B) Analog cable systems and digital cable systems with 5,000 or more subscribers per headend and wireless cable systems with 5,000 or more subscribers must conduct tests of the EAS Header and EOM Codes at least once a week at random days and times on all programmed channels.

(C) Analog cable systems and digital cable systems serving fewer than 5,000 subscribers per headend and wireless cable systems with fewer than 5,000 subscribers must conduct tests of the EAS Header and EOM Codes at least once a week at random days and times on at least one programmed channel.

(ii) DBS providers, SDARS providers, analog and digital class D non-commercial educational FM stations, analog and digital LPFM stations, and analog and digital LPTV stations are not required to transmit this test but must log receipt, as specified in § 11.35(a) and 11.54(a)(3).

(iii) The EAS weekly test is not required during the week that a monthly test is conducted.

(iv) EAS Participants are not required to transmit a video message when transmitting the required weekly test.

(3) *National tests.* (i) All EAS Participants shall participate in national tests as scheduled by the Commission in consultation with the Federal Emergency Management Agency (FEMA). Such tests will consist of the delivery by FEMA to PEP/NP stations of a coded EAS message, including EAS header codes, Attention Signal, Test Script, and EOM code. All other EAS Participants will then be required to relay that EAS message. The coded message shall utilize EAS test codes as designated by the Commission's rules.

(ii) A national test shall replace the required weekly and monthly tests for all EAS Participants, as set forth in paragraphs (a)(1) and (a)(2) of this section, in the week and month in which it occurs.

(iii) Notice shall be provided to EAS Participants by the Commission at least two months prior to the conduct of any such national test.

(iv) Test results as required by the Commission shall be logged by all EAS Participants into the EAS Test Reporting System (ETRS) as determined by

the Commission's Public Safety and Homeland Security Bureau, subject to the following requirements.

(A) EAS Participants shall provide the identifying information required by the ETRS initially no later than sixty days after the publication in the FEDERAL REGISTER of a notice announcing the approval by the Office of Management and Budget of the modified information collection requirements under the Paperwork Reduction Act of 1995 and an effective date of the rule amendment, or within sixty days of the launch of the ETRS, whichever is later, and shall renew this identifying information on a yearly basis or as required by any revision of the EAS Participant's State EAS Plan filed pursuant to § 11.21.

(B) "Day of test" data shall be filed in the ETRS within 24 hours of any nationwide test or as otherwise required by the Public Safety and Homeland Security Bureau.

(C) Detailed post-test data shall be filed in the ETRS within forty five (45) days following any nationwide test.

(4) *EAS activations and special tests.* The EAS may be activated for emergencies or special tests at the State or Local Area level by an EAS Participant instead of the monthly or weekly tests required by this section. To substitute for a monthly test, activation must include transmission of the EAS header codes, Attention Signal, emergency message and EOM code and comply with the visual message requirements in § 11.51. To substitute for the weekly test of the EAS header codes and EOM codes in paragraph (a)(2)(i) of this section, activation must include transmission of the EAS header and EOM codes. Analog and digital television broadcast stations, analog cable systems, digital cable systems, wireless cable systems, and DBS providers shall comply with the aural and visual message requirements in § 11.51. Special EAS tests at the State and Local Area levels may be conducted on daily basis following procedures in State and Local Area EAS plans.

(5) *Live Code Tests.* EAS Participants may participate in no more than two (2) "Live Code" EAS Tests per calendar year that are conducted to exercise the EAS and raise public awareness for it,

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provided that the entity conducting the test:

(i) Notifies the public before the test that live event codes will be used, but that no emergency is, in fact, occurring;

(ii) To the extent technically feasible, states in the test message that the event is only a test;

(iii) Coordinates the test among EAS Participants and with state and local emergency authorities, the relevant SECC (or SECCs, if the test could affect multiple states), and first responder organizations, such as PSAPs, police, and fire agencies); and,

(iv) Consistent with §11.51, provides in widely accessible formats the notification to the public required by this subsection that the test is only a test, and is not a warning about an actual emergency.

(b) Entries shall be made in EAS Participant records, as specified in §11.35(a) and 11.54(a)(3).

[70 FR 71038, Nov. 25, 2005, as amended at 76 FR 12604, Mar. 8, 2011; 77 FR 16707, Mar. 22, 2012; 80 FR 37177, June 30, 2015; 83 FR 39621, Aug. 10, 2018; 85 FR 30634, May 20, 2020]

PART 13—COMMERCIAL RADIO OPERATORS

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AUTHORITY: 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).

(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