



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 11-970
May 31, 2011
Enforcement Advisory No. 2011-07

FCC ENFORCEMENT ADVISORY

MARINE RADIO

Enforcement Bureau Reminds Boaters of Marine Radio Rules *Directs Boaters to Check Safety Communications Equipment to Ensure Compliance*

As the summer boating season ramps up, boaters are urged to familiarize themselves with marine safety communication requirements, and ensure that their equipment is operating properly. The FCC regulates marine communications in cooperation with the United States Coast Guard, which monitors marine distress frequencies continuously to protect life and property. All users of marine radio, whether voluntary or compulsory, are responsible for observing both FCC and Coast Guard requirements. Each summer, the United States Coast Guard reports a significant number of false distress calls and incidents ranging from a simple lack of courtesy to intentional interference. The Enforcement Bureau intends to strictly enforce the Rules related to marine radio operations. Ensuring the integrity of safety and distress frequencies is vital to safeguarding lives and property.

What Should You Know?

Most recreational boaters are authorized to operate VHF marine radios, radar, and emergency position-indicating radiobeacons (EPIRBs) without having to obtain individual licenses from the FCC. However, boaters must continue to follow the operating procedures for calling other stations, maintaining a safety watch, and relaying distress messages as specified in the FCC's Rules, available at <http://www.gpo.gov/fdsys/pkg/CFR-2009-title47-vol5/pdf/CFR-2009-title47-vol5-part80.pdf>. Depending on the type of operation, you may identify your ship station over the air using your FCC-issued call sign, maritime mobile service identity (MMSI), the state registration number or official number of your ship, or the name of your ship. To check if your vessel license information is correct, you may search the FCC database of licensed stations at <http://wireless.fcc.gov/uls/index.htm?job=home>.

- **VHF Marine Channel 16 Designated for Emergency Calls** – Section 80.369 of the FCC's Rules states that VHF Marine Channel 16 (156.800 MHz) is the international voice, distress, urgency, safety, call, and reply channel for ship, public, and private coast stations. The Coast Guard continually monitors Channel 16 and treats any distress call received as an emergency that should be immediately investigated. Prohibited Channel 16 communications include: false distress or emergency messages, superfluous communications, messages containing obscene, indecent, or profane words or meaning, general calls (calls not addressed to a particular station), routine messages and radio tests, and communications when your ship is on land (for example, while the ship is on a trailer).
- **Emergency Position-Indicating Radiobeacons (EPIRBs) Only Authorized for Emergency Use** – EPIRBs, devices that cost from \$200 to about \$1500, are designed to save your life if you get into trouble on the water by alerting rescue authorities and indicating your location. Section 80.1161 of the FCC's Rules requires that EPIRBs be used only under emergency conditions, while section 80.89(a) of the Rules prohibits unauthorized or superfluous transmissions. Some EPIRBs automatically activate when wet and others are manually activated. Both types can be used when a ship is in distress by emitting a radio signal marking the ship's location for rescue responders. Boaters must exercise extreme care to prevent inadvertent activation in non-emergency situations.

- **Registration of EPIRBs Required** – Current 406 MHz EPIRBs have a unique identifier that must be registered with the National Oceanic and Atmospheric Administration (NOAA) whenever installed or replaced on a vessel, pursuant to section 80.1061(f) of the FCC's Rules. (You may now [register online](#).) Registration will help rescue forces find you faster in the event of an emergency. Older EPIRBs operating only on 121.5 MHz/243 MHz should be replaced as they are no longer detected by satellites, and their use is now prohibited under the FCC's Rules. For information on recommended monthly EPIRB test procedures, see http://www.sarsat.noaa.gov/EPIRB_inspecting.pdf.
- **Ship Station Licenses Required for Commercial Vessels** – Commercial vessels that are required by statute to carry radio equipment must apply to the FCC for a ship station license. The ship station license specifies the type of radio equipment that the vessel is authorized to use. All radio equipment must be properly licensed, and type accepted for maritime use. Ship stations are specifically prohibited from employing unlicensed or unauthorized radio equipment, such as unlicensed or unauthorized amateur or aircraft transceivers.

What Happens if Users Do Not Comply with the FCC's Rules?

Interference to a maritime distress and safety frequency, including VHF Marine Channel 16, is a violation of the most critical nature, with potential impact upon safety of life and property. Harmful interference can be caused not only by intentional operation, but also by stuck microphones on Channel 16, and inadvertent activation of EPIRBs. Harmful interference disrupts vital safety frequencies, and can obscure genuine distress transmissions. Tracking down such interference also places a strain on valuable resources of the safety and rescue agencies. Be aware that the Enforcement Bureau intends to strictly enforce the Rules related to marine radio operations.¹

Violators may be subject to the penalties authorized by the Communications Act, including first offense fines as high as \$16,000 for each violation or imprisonment for up to one year. Your radio equipment can also be seized and forfeited to the U.S. Government. In addition, the Coast Guard can recover the costs of its rescue efforts when the initiating distress call is determined to be false; these rescue-related costs can be as much as \$5,000 per hour.

What Should You Do?

Marine safety and distress radio communications are designed to protect both your life and the lives of those around you – fellow boaters, friends and loved ones. Please take the time to learn the FCC's Rules governing proper radio operation and comply with them. Common sense and simple courtesy can help keep you from harm's way. Safety equipment is there for your own benefit. Your life may depend on it.

Need more information? To file a complaint, visit www.fcc.gov/complaints or call 1-888-CALL-FCC. For additional information regarding enforcement of the marine radio rules, visit the websites below or email MarineRadio@fcc.gov. Media inquiries should be directed to David Fiske at (202) 418-0513 or David.Fiske@fcc.gov.

- For information related to ship station licenses, proper use of marine VHF radio channels, and licensing of marine radio stations, please visit the FCC website at http://wireless.fcc.gov/services/index.htm?job=licensing&id=ship_stations.
- For more information on EPIRB registration, please visit the NOAA website at <https://beaconregistration.noaa.gov/rgdb/>.
- For more information on EPIRB and other Coast Guard requirements, please visit the Coast Guard website at <http://www.navcen.uscg.gov/?pageName=mtEpirb> and <http://www.uscg.mil/hq/cg5/cg5214/epirbs.asp>.

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), (202) 418-0432 (TTY). You may also contact the Enforcement Bureau on its TTY line at (202) 418-1148 for further information about this Enforcement Advisory, or the FCC on its TTY line at 1-888-TELL-FCC (1-888-835-5322) for further information about the marine radio rules.

Issued by: Chief, Enforcement Bureau

¹ See *Vincent E. Aversa, Jr.*, Forfeiture Order, DA 11-549 (Enf. Bur. 2011) (assessed a \$20,000 forfeiture for unauthorized operation on Channel 16); *Princess K Fishing Corporation*, Forfeiture Order, 24 FCC Rcd 2606 (Enf. Bur. 2009) *reconsideration pending* (assessed a \$5,500 forfeiture for unauthorized activation of an EPIRB).