

80, 87 and 95 are amended as set forth in the attached Rule Changes.

12. The Commission's Reference Information Center, Consumer Information Bureau, *shall send* a copy of this Report and Order, WT Docket No. 99-366, including the Final Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

13. *It is further ordered* that, pursuant to section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), and § 1.925 of the Commission's rules, ACR's request for waiver of § 80.1061 of the Commission's rules, filed on January 10, 2001, and McMurdo's request for waiver of § 80.1061 of the Commission's rules, filed on August 23, 2002, to permit type certification of ACR's personal EPIRB, FCC Identification Number B66ACR-PLB-100, and McMurdo's personal EPIRB, FCC identification number KLS85860, respectively, are *dismissed as moot*.

14. *It is further ordered*, pursuant to section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), that this proceeding *is terminated*.

List of Subjects in 47 CFR Parts 80, 87 and 95

Communications equipment, Incorporation by reference, Radio, Reporting and recordkeeping requirements.

Federal Communications Commission

Marlene H. Dortch,

Secretary.

Final Rule

■ For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR parts 80, 87 and 95 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, 307(e), 309, and 332, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, 307(e), 309, and 332, 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 80.1061 is amended by revising paragraphs (e) and (f) to read as follows:

§ 80.1061 Special requirements for 406.025 MHz EPIRBs.

* * * * *

(e) An identification code, issued by the National Oceanic and Atmospheric Administration (NOAA), the United

States Program Manager for the 406.025 MHz COSPAS/SARSAT satellite system, must be programmed in each EPIRB unit to establish a unique identification for each EPIRB station. With each marketable EPIRB unit, the manufacturer or grantee must include a postage pre-paid registration card printed with the EPIRB identification code addressed to: SARSAT Beacon Registration, NOAA, NESDIS, E/SP3, RM 3320, FB-4, 5200 Auth Road, Suitland, MD 20746-4304. The registration card must request the owner's name, address, telephone number, type of ship, alternate emergency contact and include the following statement: "WARNING—failure to register this EPIRB with NOAA before installation could result in a monetary forfeiture being issued to the owner."

(f) To enhance protection of life and property, it is mandatory that each 406.025 MHz EPIRB be registered with NOAA before installation and that information be kept up-to-date. Therefore, in addition to the identification plate or label requirements contained in §§ 2.925 and 2.926 of this chapter, each 406.025 MHz EPIRB must be provided on the outside with a clearly discernable permanent plate or label containing the following statement: "The owner of this 406.025 MHz EPIRB must register the NOAA identification code contained on this label with the National Oceanic and Atmospheric Administration (NOAA), whose address is: SARSAT Beacon Registration, NOAA, NESDIS, E/SP3, RM 3320, FB-4, 5200 Auth Road, Suitland, MD 20746-4304." Vessel owners shall advise NOAA in writing upon change of vessel or EPIRB ownership, transfer of EPIRB to another vessel, or any other change in registration information. NOAA will provide registrants with proof of registration and change of registration postcards.

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PART 87—AVIATION SERVICES

■ 3. The authority citation for part 87 continues to read as follows:

Authority: 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, 307(e) unless otherwise noted. Interpret or apply 48 Stat. 1064-1068, 1081-1105, as amended; 47 U.S.C. 151-156, 301-609.

■ 4. Section 87.199 is amended by revising paragraphs (e) and (f) to read as follows:

§ 87.199 Special requirements for 406.025 MHz ELTs.

* * * * *

(e) An identification code, issued by the National Oceanic and Atmospheric Administration (NOAA), the United States Program Manager for the 406.025 MHz COSPAS/SARSAT satellite system, must be programmed in each ELT unit to establish a unique identification for each ELT station. With each marketable ELT unit the manufacturer or grantee must include a postage pre-paid registration card printed with the ELT identification code addressed to: SARSAT Beacon Registration, NOAA, NESDIS, E/SP3, RM 3320, FB-4, 5200 Auth Road, Suitland, MD 20746-4304. The registration card must request the owner's name, address, telephone number, type of aircraft, alternate emergency contact and include the following statement: "WARNING—failure to register this ELT with NOAA before installation could result in a monetary forfeiture being issued to the owner."

(f) To enhance protection of life and property, it is mandatory that each 406.025 MHz ELT must be registered with NOAA before installation and that information be kept up-to-date. In addition to the identification plate or label requirements contained in §§ 2.925 and 2.926 of this chapter, each 406.025 MHz ELT must be provided on the outside with a clearly discernable permanent plate or label containing the following statement: "The owner of this 406.025 MHz ELT must register the NOAA identification code contained on this label with the National Oceanic and Atmospheric Administration (NOAA), whose address is: SARSAT Beacon Registration, NOAA, NESDIS, E/SP3, RM 3320, FB-4, 5200 Auth Road, Suitland, MD 20746-4304." Aircraft owners shall advise NOAA in writing upon change of aircraft or ELT ownership, or any other change in registration information. Fleet operators must notify NOAA upon transfer of ELT to another aircraft outside of the owner's control, or an other change in registration information. NOAA will provide registrants with proof of registration and change of registration postcards.

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PART 95—PERSONAL RADIO SERVICES

■ 5. The authority citation for part 95 continues to read as follows:

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

■ 6. Add Subpart K to part 95 to read as follows: