

14. The new Section 17.29 is amended by revising the title, introductory paragraph, and paragraphs (a)(1), (a)(2), and (b) to read as follows:

**§ 17.29 Inspection of antenna structure lights and associated control equipment.**

The owner of any antenna structure which\* \* \*

(a)(1) Shall make an observation of the antenna structure's lights at least once\* \* \*

(a)(2) \* \* \*provide indication of such failure to the owner.

(b) \* \* \*alarm systems associate with the antenna structure lighting to insure that such apparatus is functioning properly.

15. The new Section 17.31 is amended by revising the introductory paragraph and paragraph (a) to read as follows:

**§ 17.31 Notification of extinguishment or improper functioning of lights.**

The owner of any antenna structure which\* \* \*

(a) \* \* \*the circumstances which caused the failure, the probable date for restoration of service, the FCC Antenna Structure Registration Number, and the height of the structure (AGL and AMSL if known). Further notification\* \* \*

\* \* \* \* \*

16. The new Section 17.33 is amended by revising the title, the introductory paragraph, and adding a new paragraph (d) to read as follows:

**§17.33 Recording of antenna structure light inspections in the owner record.**

The owner of each antenna structure requiring registration under this part, must maintain a record of any observed or otherwise known extinguishment or improper functioning of a structure light and include the following information for each such event:

\* \* \* \* \*

(d) Name, title, address, and telephone number of the person making the report

17. The new Section 17.35 is amended by revising the sentence to read as follows:

**§ 17.35 Cleaning and repainting.**

All antenna structures shall be cleaned or repainted as often as necessary to maintain good

visibility.

18. The new Section 17.45 is amended by revising the previous text to read as follows:

**§ 17.45 Report of radio transmitting antenna construction, alteration, and/or removal.**

The owner of an antenna structure for which painting or lighting is required and for which an Antenna Structure Registration Number has been obtained must, prior to start of antenna structure construction and upon completion of such construction or changes, notify the Commission within 24 hours of completion of construction and/or dismantlement.

#### IV. Part 21 - Domestic Public Fixed Radio Services

1. The authority citation for Part 21 continues to read as follows:

**AUTHORITY:** Secs. 1, 2, 4, 201-205, 208, 215, 218, 303, 307, 313, 403, 404, 410, 602, 48 Stat. as amended, 1064, 1066, 1070-1073, 1076, 1077, 1080, 1082, 1083, 1087, 1094, 1098, 1102; 47 U.S.C. 151, 154, 201-205, 208, 215, 218, 303, 307, 313, 314, 403, 404, 602; 47 U.S.C. 552, 554.

2. Section 21.11 is amended by revising paragraph (g) to read as follows:

##### § 21.11 Miscellaneous forms shared by all domestic public radio services.

\* \* \* \* \*

(g) Antenna Structure Registration. FCC Form 854 (Application for Antenna Structure Registration) accompanied by a final Federal Aviation Administration (FAA) determination of "no hazard" must be filed by the antenna structure owner to receive an antenna structure registration number. Criteria used to determine whether FAA notification is required for a particular antenna structure are contained in Part 17 of this chapter.

3. Section 21.15 is amended by revising paragraph (d), inserting a new paragraph (e), and redesignating paragraphs (e), (f), and (g) as (f), (g), and (h), respectively.

##### § 21.15 Technical content of applications.

\* \* \* \* \*

(d) FAA notification. Before the construction of a new antenna structure or alteration in the height of an existing structure (including a receive-only or passive repeater) is authorized by the FCC, a Federal Aviation Administration (FAA) determination of "no hazard" may be required. To apply for this determination, antenna structure owners must notify the FAA of the planned construction. Criteria used to determine whether FAA notification is required for a particular antenna structure are contained in Part 17 of this chapter. Applications proposing construction of a new antenna structure or alteration of the overall height of an existing antenna structure, where FAA notification prior to such construction or alteration is not required by Part 17 of this chapter, must indicate such and, unless the reason is obvious (e.g. structure height is less than 6.1 meters AGL) must state why FAA notification is not required. See also 21.111 if the structure is used by more than one station.

(e) Antenna Structure Registration Number. Applications proposing construction of a new antenna structure or alteration of the overall height of an existing antenna structure, where FAA notification prior to such construction or alteration is required by Part 17 of this chapter, must include the FCC Antenna Structure Registration Number for the affected structure. If no such number has been assigned at the time the application is filed, the applicant must state in the

application whether or not the antenna structure owner has notified the FAA of the proposed construction or alteration and applied to the FCC for an Antenna Structure Registration Number in accordance with Part 17 of this structure for the antenna structure in question.

\* \* \* \* \*

4. Section 21.41 is amended by revising paragraph (c)(3) to read as follows:

**§ 21.41 Special processing of applications for minor facilities modifications.**

\* \* \* \* \*

(c) \* \* \*

(3) Changes in the geographical coordinates of a transmit station, receive station or passive facility by ten seconds or less of latitude, longitude or both, provided that when notice to the FAA of proposed construction is required by Part 17 of the rules for the antenna structure at the previously authorized coordinates (or will be required at the new location) the applicant must comply with the provisions of 21.15(e).

\* \* \* \* \*

5. Section 21.42 is amended by revising paragraph (c)(6) to read as follows:

**§ 21.42 Certain modifications not requiring prior authorizations.**

\* \* \* \* \*

(c) \* \* \*

(6) Decreases in the overall height of an antenna structure, provided that, when notice to the FAA of proposed construction was required by Part 17 of the Rules for the antenna structure at the previously authorized height, the applicant must comply with the provisions of 21.15(d) and 21.15(e).

\* \* \* \* \*

6. Section 21.111 is amended by replacing the prior text with the following:

**§ 21.111 Use of common antenna structure.**

The simultaneous use of a common antenna structure by more than one station authorized under this part, or by one or more stations of any other service may be authorized. The owner, however, of each antenna structure required to be painted and/or illuminated under the provisions of Section 303(q) of the Communications Act of 1934, as amended, shall install and maintain the antenna structure painting and lighting in accordance with Part 17 of this chapter. In the event of default by the owner, each licensee or permittee shall be individually responsible for

conforming to the requirements pertaining to antenna structure painting and lighting.

7. Section 21.112 is amended to read as follows:

**§ 21.112 Marking of antenna structures.**

No owner, conditional licensee, or licensee of an antenna structure for which obstruction marking or lighting is required and for which an antenna structure registration number has been obtained, shall discontinue the required painting or lighting without having obtained prior written authorization therefor from the Commission. (For complete regulations relative to antenna marking requirements, see Part 17 of this chapter.)

8. Section 21.117 is amended by revising paragraph (b) to read as follows:

**§ 21.117 Transmitter location.**

\* \* \* \* \*

(b) The owner of the antenna structure should locate and construct such structure as to avoid making them hazardous to air navigation. (See Part 17 of this chapter for provisions relating to antenna structures.) Such installation shall be maintained in good structural condition together with any required painting or lighting.

**V. Part 22 - Public Mobile Service**

1. The authority citation for Part 22 continues to read as follows:

**AUTHORITY:** 47 U.S.C. 154, 303, unless otherwise noted.

1. Section 22.115 is amended by revising paragraphs (a)(2) and (a)(3) to read as follows:

**§ 22.115 Content of applications.**

\* \* \* \* \*

(a) \* \* \*

(2) FAA notification. Before the construction of new antenna structures or alteration in the height of existing antenna structures is authorized by the FCC, a Federal Aviation Administration (FAA) determination of "no hazard" may be required. To apply for this determination, antenna structure owners must notify the FAA of the planned construction. Criteria used to determine whether FAA notification is required for a particular antenna structure are contained in Part 17 of this chapter. Applications proposing construction of one or more new antenna structures or alteration of the overall height of one or more existing antenna structures, where FAA notification prior to such construction or alteration is not required by Part 17 of this chapter, must indicate such and, unless the reason is obvious (e.g. structure height is less than 6.10 meters AGL) must contain a statement explaining why FAA notification is not required.

(3) Antenna Structure Registration Number. Applications proposing construction of one or more new antenna structures or alteration of the overall height of one or more existing antenna structures, where FAA notification prior to such construction or alteration is required by Part 17 of this chapter, must include the FCC Antenna Structure Registration Number(s) for the affected structure(s). If no such number has been assigned at the time the application is filed, the applicant must state in the application whether or not the antenna structure owner has notified the FAA of the proposed construction or alteration and applied to the FCC for an Antenna Structure Registration Number in accordance with Part 17 of this chapter for the antenna structure in question.

\* \* \* \* \*

2. Section 22.143 is amended by revising paragraph (d)(4) to read as follows:

**§ 22.143 Construction prior to grant of application.**

\* \* \* \* \*

(d) \* \* \*

(4) For applications involving construction of one or more new antenna structures or alteration of the overall height of one or more existing antenna structures, where FAA notification prior to such construction or alteration is required by Part 17 of this chapter, the antenna structure owner must obtain a Federal Aviation Administration (FAA) determination of "no hazard" and a FCC Antenna Structure Registration Number for each such antenna structure before construction or alteration of the antenna structure may begin.

\* \* \* \* \*

3. Section 22.163 is amended by revising paragraph (c) to read as follows:

**§ 22.163 Minor modifications to existing stations.**

\* \* \* \* \*

(c) Antenna Structure Registration. For modifications involving construction of one or more new antenna structures or alteration of the overall height of one or more existing antenna structures, where FAA notification prior to such construction or alteration is required by Part 17 of this chapter, the antenna structure owner(s) must receive a Federal Aviation Administration (FAA) determination of "no hazard" and an FCC Antenna Structure Registration Number for each such antenna structure before construction or alteration of the antenna structure may begin.

\* \* \* \* \*

4. Section 22.165 is amended by revising paragraph (b) as follows:

**§ 22.165 Additional transmitters for existing systems.**

\* \* \* \* \*

(b) Antenna Structure Registration. For additional transmitters involving construction of one or more new antenna structures or alteration of the overall height of one or more existing antenna structures, where FAA notification prior to such construction or alteration is required by Part 17 of this chapter, the antenna structure owner(s) must receive a Federal Aviation Administration (FAA) determination of "no hazard" and an FCC Antenna Structure Registration Number for each such antenna structure before construction or alteration of the antenna structure may begin.

\* \* \* \* \*

5. Section 22.365 is amended to read as follows:

**§ 22.365 Antenna structures; air navigation safety.**

(a) Painting and lighting. The owner of each antenna structure required to be painted and/or illuminated under the provisions of Section 303(q) of the Communications Act of 1934, as amended, shall operate and maintain the antenna structure painting and lighting in accordance with Part 17 of this chapter. In the event of default by the owner, each licensee or permittee shall be individually responsible for conforming to the requirements pertaining to antenna structure painting and lighting.

(b) Maintenance contracts. Each antenna structure owner or licensee authorized to transmit from a given antenna structure may enter into a contract with an entity to monitor and carry out necessary maintenance of the antenna structure. The antenna structure owner, however, is primarily responsible for compliance with Part 17 of this chapter.

## **VI. Part 23 - International Fixed Public Radiocommunication Services**

1. The authority citation for Part 23 continues to read as follows:

**AUTHORITY:** Secs. 4, 303, 48 Stat. 1066, 1082 as amended; 47 U.S.C. 154, 303. Interpret or apply sec. 301, 48 Stat. 1081; 47 U.S.C. 301.

2. Section 23.39 is amended by revising the title and replacing the previous text with new paragraphs (a), (b), and (c) to read as follows:

### **§ 23.39 Antenna Structures.**

(a) FAA notification. Before the construction of new antenna structures or alteration in the height of existing antenna structures is authorized by the FCC, a Federal Aviation Administration (FAA) determination of "no hazard" may be required. To apply for this determination, antenna structure owners must notify the FAA of the planned construction. Criteria used to determine whether FAA notification is required for a particular antenna structure are contained in Part 17 of this chapter. Applications proposing construction of one or more new antenna structures or alteration of the overall height of one or more existing antenna structures, where FAA notification prior to such construction or alteration is not required by Part 17 of this chapter, must indicate such and, unless the reason is obvious (e.g. structure height is less than 6.10 meters AGL) must contain a statement explaining why FAA notification is not required.

(b) Painting and lighting. The owner of each antenna structure required to be painted and/or illuminated under the provisions of Section 303(q) of the Communications Act of 1934, as amended, shall operate and maintain the antenna structure painting and lighting in accordance with Part 17 of this chapter. In the event of default by the owner, each licensee or permittee shall be individually responsible for conforming to the requirements pertaining to antenna structure painting and lighting.

(c) Antenna Structure Registration Number. Applications proposing construction of one or more new antenna structures or alteration of the overall height of one or more existing structures, where FAA notification prior to such construction or alteration is required by Part 17 of this chapter, must include the FCC Antenna Structure Registration Number(s) for the affected structure(s). If no such number has been assigned at the time the application is filed, the applicant must state in the application whether or not the antenna structure owner has notified the FAA of the proposed construction or alteration and applied to the FCC for an Antenna Structure Registration Number in accordance with Part 17 of this chapter for the antenna structure in question.

3. Section 23.28 is amended by adding a new paragraph (c) to read as follows:

**§ 23.28 Special Temporary Authorization.**

\* \* \* \* \*

(c) Each application proposing construction of one or more new antenna structures or alteration of the overall height of one or more existing antenna structures, where FAA notification prior to such construction or alteration is required by Part 17 of this chapter, must include the FCC Antenna Structure Registration Number(s) for the affected structure(s). If no such number has been assigned at the time the application(s) is filed, the applicant must state in the application whether the owner has notified the FAA of the proposed construction or alteration and applied to the FCC for an Antenna Structure Registration Number in accordance with Part 17 of this chapter. Applications proposing construction of one or more new antenna structures or alteration of the overall height of one or more existing antenna structures, where FAA notification prior to such construction or alteration is not required by Part 17 of this chapter, must indicate such and, unless the structure is 6.10-meters or less above ground level (AGL), must contain a statement explaining why FAA notification is not required.

4. Section 23.40 is amended by revising the title and deleting the previous text to read as follows:

**§ 23.40 [Reserved]**

\* \* \* \* \*

## VII. Part 25 - Satellite Communications

1. The authority citation for Part 24 continues to read as follows:

**AUTHORITY:** Secs. 25.101 to 25.601 issued under Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply secs. 101-104, 76 Stat. 419-427; 47 U.S.C. 701-744; 47 U.S.C. 554.

2. Section 25.113 is amended by revising paragraph(c), redesignating paragraph (d) as paragraph (f), and adding two new paragraphs (d) and (e) to read as follows:

### § 25.113 Construction Permits.

\* \* \* \* \*

(c) FAA notification. Before the construction of new antenna structures or alteration in the height of existing antenna structures is authorized by the FCC, a Federal Aviation Administration (FAA) determination of "no hazard" may be required. To apply for this determination, antenna structure owners must notify the FAA of the planned construction. Criteria used to determine whether FAA notification is required for a particular antenna structure are contained in Part 17 of this chapter. Applications proposing construction of one or more new antenna structures or alteration of the overall height of one or more existing antenna structures, where FAA notification prior to such construction or alteration is not required by Part 17 of this chapter, must indicate such and, unless the reason is obvious (e.g. structure height is less than 6.10 meters AGL) must contain a statement explaining why FAA notification is not required.

(d) Painting and lighting. The owner of each antenna structure required to be painted and/or illuminated under the provisions of Section 303(q) of the Communications Act of 1934, as amended, shall operate and maintain the antenna structure painting and lighting in accordance with Part 17 of this chapter. In the event of default by the owner, each licensee or permittee shall be individually responsible for conforming to the requirements pertaining to antenna structure painting and lighting.

(e) Antenna Structure Registration Number. Applications proposing construction of one or more new antenna structures or alteration of the overall height of one or more existing structures, where FAA notification prior to such construction or alteration is required by Part 17 of this chapter, must include the FCC Antenna Structure Registration Number(s) for the affected structure(s). If no such number has been assigned at the time the application is filed, the applicant must state in the application whether or not the antenna structure owner has notified the FAA of the proposed construction or alteration and applied to the FCC for an Antenna Structure Registration Number in accordance with Part 17 of this chapter for the antenna structure in question.

\* \* \* \* \*

3. Section 25.119 is amended by adding a new paragraph (c) to read as follows:

**§ 25.119 Application for special temporary authorization.**

\* \* \* \* \*

(c) Each application proposing construction of one or more earth station antennas or alteration of the overall height of one or more existing earth station antenna structures, where FAA notification prior to such construction or alteration is required by Part 17 of this chapter, must include the FCC Antenna Structure Registration Number (s) for the affected satellite earth station antenna(s). If no such number has been assigned at the time the application(s) is filed, the applicant must state in the application whether the satellite earth station antenna owner has notified the FAA of the proposed construction or alteration and applied to the FCC for an Antenna Structure Registration Number in accordance with Part 17 of this chapter. Applications proposing construction of one or more earth station antennas or alteration of the overall height of one or more existing earth station antennas, where FAA notification prior to such construction or alteration is not required by Part 17 of this chapter, must indicate such and, unless the satellite earth station antenna is 6.10-meters or less above ground level (AGL), must contain a statement explaining why FAA notification is not required.

4. Section 25.130 is amended by adding a new paragraph (e) to read as follows:

**§ 25.130 Filing requirements for transmitting earth stations.**

\* \* \* \* \*

(e) Each application proposing construction of one or more earth station antennas or alteration of the overall height of one or more existing earth station antennas, where FAA notification prior to such construction or alteration is required by Part 17 of this chapter, must include the FCC Antenna Structure Registration Number(s) for the affected satellite earth station antenna(s). If no such number has been assigned at the time the application(s) is filed, the applicant must state in the application whether the satellite earth station antenna owner has notified the FAA of the proposed construction or alteration and applied to the FCC for an antenna Structure Registration Number in accordance with Part 17 of this chapter. Applications proposing construction of one or more earth station antennas or alteration of the overall height of one or more existing earth station antennas, where FAA notification prior to such construction or notification or alteration is not required by Part 17 of this chapter, must indicate such and, unless the satellite earth station antenna is 6.10-meters or less above ground level (AGL), must contain a statement explaining why FAA notification is not required.

5. Section 25.300 is amended by revising paragraph (h) to read as follows:

**§ 25.300 Developmental Operations.**

\* \* \* \* \*

(h) Each application for developmental operation proposing construction of one or more earth station antennas or alteration of the overall height of one or more existing earth station antennas, where FAA notification prior to such construction or alteration is required by Part 17 of this chapter, must include the FCC Antenna Structure Registration Number(s) for the affected satellite earth station antenna(s). If no such number has been assigned at the time the application is filed, the applicant must state in the application whether the satellite earth station antenna owner has notified the FAA of the proposed construction or alteration and applied to the FCC for an Antenna Structure Registration Number in accordance with Part 17 of this chapter. Applications proposing construction of one or more earth station antennas or alteration of the overall height of one or more existing earth station antennas, where FAA notification prior to such construction or alteration is not required by Part 71 of this chapter, must indicate such and, unless the satellite earth station antenna is 6.10-meters or less above ground level (AGL), must contain a statement explaining why FAA notification is not required.

\* \* \* \* \*

**VIII. Part 73 - Radio Broadcast Services**

1. The authority citation for Part 73 continues to read as follows:

**AUTHORITY:** 47 U.S.C. 154, 303, 334.

2. Section 73.1213 is amended by revising paragraph (b) and deleting paragraph (c) to read as follows:

**§73.1213 Antenna structure, marking and lighting.**

\*\*\*\*\*

(b) The owner of each antenna structure is responsible for ensuring that the structure, if required, is painted and/or illuminated in accordance with Part 17 of this chapter. In the event of default by the owner, each licensee or permittee shall be responsible for ensuring that the structure complies with applicable painting and lighting requirements.

3. Section 73.1690 is amended by revising paragraph (b)(1) to read as follows:

**§73.1690 Modification of transmission systems.**

\*\*\*\*\*

(b) \*\*\*

(1) Any change in the location, or directional radiation characteristics of a directional antenna system. (See §73.45 and §73.150, AM; §73.316, FM; or §73.685, TV.)

\*\*\*\*\*

4. Section 73.3533 is amended by adding a new paragraph (c) to read as follows:

**§73.3533 Application for construction permit or modification of construction permit.**

\* \* \* \* \*

(c) In each application referred to in subsection (a), the applicant will provide the Antenna Structure Registration Number (FCC Form 854R) of the antenna structure upon which it will locate its proposed antenna. In the event the antenna structure does not already have a Registration Number, either the antenna structure owner shall file FCC Form 854 ("Application for Antenna Structure Registration") in accordance with Part 17 of this chapter or the applicant shall provide a detailed explanation why registration and clearance of the antenna structure is not necessary.

**IX. Part 74 - Experimental, Auxiliary, and Special Broadcast and Other Program Distributional Services**

1. The authority citation for Part 74 continues to read as follows:

**AUTHORITY:** Secs. 4, 303, 48 Stat. 1066, as amended, 1082, as amended; 47 U.S.C. 154, 303, 554.

2. Section 74.22 is amended to read as follows:

**§74.22 Use of common antenna structure.**

The simultaneous use of a common antenna structure by more than one station authorized under this part, or by one or more stations of any other service may be authorized. The owner of each antenna structure is responsible for ensuring that the structure, if required, is painted and/or illuminated in accordance with Part 17 of this chapter. In the event of default by the owner, each licensee or permittee shall be responsible for ensuring that the structure complies with applicable painting and lighting requirements.

3. Section 74.551 is amended by adding a new paragraph (c) to read as follows:

**§74.551 Equipment changes.**

\* \* \* \* \*

(c) Any application proposing a change in the height of the antenna structure or its location must also include the Antenna Structure Registration Number (FCC Form 854R) of the antenna structure upon which it will locate its proposed antenna. In the event the antenna structure does not have a Registration Number, either the antenna structure owner shall file FCC Form 854 ("Application for Antenna Structure Registration") in accordance with Part 17 of this chapter or the applicant shall provide a detailed explanation why registration and clearance are not necessary.

4. Section 74.651 is amended by adding a new paragraph (d) to read as follows:

**§74.651 Equipment changes.**

\* \* \* \* \*

(d) Any application proposing a change in the height of the antenna or its location must also include the Antenna Structure Registration Number (FCC Form 854R) of the antenna structure upon which it will locate its proposed antenna. In the event the antenna structure does not have a Registration Number, either the antenna structure owner shall file FCC Form 854 ("Application for Antenna Structure Registration") in accordance with Part 17 of this chapter or the applicant shall provide a detailed explanation why registration and clearance are not necessary.

5. Section 74.1251 is amended by adding a new paragraph (d) to read as follows:

**§74.1251 Technical and equipment modifications.**

\* \* \* \* \*

(d) Any application proposing a change in the height of the antenna structure or its location must also include the Antenna Structure Registration Number (FCC Form 854R) of the antenna structure upon which it proposes to locate its antenna. In the event the antenna structure does not have a Registration Number, either the antenna structure owner shall file FCC Form 854 ("Application for Antenna Structure Registration") in accordance with Part 17 of this chapter or the applicant shall provide a detailed explanation why registration and clearance are not required.

**X. Part 78 - Cable Television Relay Service**

1. The authority citation for Part 78 continues to read as follows:

**AUTHORITY:** Secs. 2, 3, 4, 301, 303, 307, 308, 309, 48 Stat., as amended, 1064, 1065, 1066, 1081, 1082, 1084, 1085; 47 U.S.C. 152, 153, 154, 301, 303, 307, 308, 309.

2. Section 78.63 is amended by revising the title and the initial paragraph and deleting paragraphs (a), (b), (c), (d), and (e) to read as follows:

**§78.63 Inspection and maintenance of antenna structure marking and associated control equipment.**

The owner of each antenna structure required to be painted and/or illuminated under the provisions of Section 303(q) of the Communications Act of 1934, as amended, shall operate and maintain the antenna structure painting and lighting in accordance with Part 17 of this chapter. In the event of default by the owner, each CARS licensee or permittee shall be individually responsible for conforming to the requirements pertaining to antenna structure painting and lighting.

3. Section 78.109 is amended by adding paragraph (c) to read as follows:

**§78.109 Equipment changes.**

\* \* \* \* \*

(c) Any application proposing a change in the height of the antenna structure or its location must also include the Antenna Structure Registration Number (FCC Form 854R) of the antenna upon which it proposes to locate its antenna. In the event the antenna structure does not have a Registration Number, either the owner of the antenna structure shall file FCC Form 854 ("Application for Antenna Structure Registration") in accordance with Part 17 of this chapter or the applicant shall provide a detailed explanation why registration and clearance are not required.

**XI. Part 80 - Stations in the Maritime Services**

1. The authority citation for Part 80 continues to read as follows:

**AUTHORITY:** Secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, 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 80.110 is amended by revising the title and initial paragraph to read as follows:

**§ 80.110 Inspection and maintenance of antenna structure markings and associated control equipment.**

The owner of each antenna structure required to be painted and/or illuminated under the provisions of Section 303(q) of the Communications Act of 1934, as amended, shall operate and maintain the antenna structure painting and lighting in accordance with Part 17 of this chapter. In the event of default by the owner, each licensee or permittee shall be individually responsible for conforming to the requirements pertaining to antenna structure painting and lighting.

## **XII. Part 87 - Aviation Services**

1. The authority citation for Part 87 continues to read as follows:

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

2. Section 87.75 is amended by revising the title and initial paragraph to read as follows:

### **§ 87.75 Maintenance of antenna structure marking and control equipment.**

The owner of each antenna structure required to be painted and/or illuminated under the provisions of Section 303(q) of the Communications Act of 1934, as amended, shall operate and maintain the antenna structure painting and lighting in accordance with Part 17 of this chapter. In the event of default by the owner, each licensee or permittee shall be individually responsible for conforming to the requirements pertaining to antenna structure painting and lighting.

### **XIII. Part 90 - Private Land Mobile Radio Services**

1. The authority citation for Part 90 continues to read as follows:

**AUTHORITY:** Sections 4, 303, and 332, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, and 332, unless otherwise noted.

2. Section 90.441 is amended by revising the title and initial paragraph to read as follows:

**§ 90.441 Inspection and maintenance of antenna structure marking and associated control equipment.**

The owner of each antenna structure required to be painted and/or illuminated under the provisions of Section 303(q) of the Communications Act of 1934, as amended, shall operate and maintain the antenna structure painting and lighting in accordance with Part 17 of this chapter. In the event of default by the owner, each licensee or permittee shall be individually responsible for conforming to the requirements pertaining to antenna structure painting and lighting.

#### **XIV. Part 94 - Private Operational-Fixed Microwave Service**

1. The authority citation for Part 94 continues to read as follows:

**AUTHORITY:** Secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303 and 332, unless otherwise noted.

2. Section 94.111 is amended by revising the title and initial paragraph to read as follows:

**§ 94.111 Inspection and maintenance of antenna structure marking and associated control equipment.**

The owner of each antenna structure required to be painted and/or illuminated under the provisions of Section 303(q) of the Communications Act of 1934, as amended, shall operate and maintain the antenna structure painting and lighting in accordance with Part 17 of this chapter. In the event of default by the owner, each licensee or permittee shall be individually responsible for conforming to the requirements pertaining to antenna structure painting and lighting.

**XV. Part 95 - Personal Radio Services**

1. The authority citation for Part 95 continues to read as follows:

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

2. Section 95.83 is amended by adding a new paragraph (a)(3) to read as follows:

**§ 95.83 Additional information for stations with antennas higher than normally allowed.**

(a) \* \* \*

\* \* \* \* \*

(3) Register the structure by submitting FCC Form 854. The requirements for antenna struction registration, painting, and lighting are found in Part 17 of the FCC Rules.

\* \* \* \* \*

**XVI. Part 97 - Amateur Radio Service**

1. The authority citation for Part 97 continues to read as follows:

**AUTHORITY:** 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303. Interpret or apply 48 Stat. 1064-1068, 1081-1105, as amended; 47 U.S.C. 151-155, 201-609, unless otherwise noted.

2. Section 97.15 is amended by revising paragraph (d) to read as follows:

**§ 97.15 Station antenna structures.**

\* \* \* \* \*

(d) Further details as to whether an aeronautical study is required or if the structure must be registered, painted, or lighted are contained in Part 17 of the FCC Rules, Construction, Marking, and Lighting of Antenna Structures. To request approval to place an antenna structure higher than the limits specified in paragraphs (a), (b), and (c) of this section, the licensee must notify the FAA using FAA Form 7460-1 and the structure owner must register the structure using FCC Form 854.

\* \* \* \* \*

## **APPENDIX C**

### **PROPOSED FORMS**

1. FCC Form 854
2. Instructions For Completion of FCC Form 854
3. FCC Form 854R