

Editorial – Professional exceptions

Because of the unpaid requirement of amateur radio, we can probably agree that we licensed operators should not be paid to transmit ([Part 97.113.a.2](#)). Still, there are regulation allowances that permit the seeming opposite. After all, the chapter and verse just referenced states ***except as otherwise provided in these rules***. Examining the instances “otherwise provided”, it turns out that there are indeed a few exceptions that meet with FCC approval.

Preparedness nets at work

In behalf of an employer as part of an emergency preparedness or disaster readiness test or drill for the duration of the drill, a licensed operator can technically be paid for operating an amateur radio station during working hours. The same operator is also permitted to test the equipment immediately before the start of such a drill ([Part 97.113.a.3.i](#)).

On-air equipment sales

It's permissible to offer *incidental* selling of ham radio gear over the air, meaning please don't make it a habit. Normally, advertising or announcing for-profit activities on amateur frequencies is not permitted ([Part 97.113.a.3.ii](#)).

Classroom instruction



If a school teacher demonstrates or uses ham radio as part of classroom instruction, he or she is technically getting paid for the operation. Ham radio transmissions made by a licensed amateur as part of his or her classroom instruction at an educational institution is yet another exception ([Part 97.113.a.3.iii](#)).

Code practice and information bulletins

An operator of a club station can actually get paid

for transmitting code practice and bulletins on HF, provided he/she does so for 40 hours a week and that the schedule for the transmissions are published 30 days in advance ([Part 97.113.a.3.iv](#)).

Emergencies

The one exception to the rule that we amateurs love to quote is the one allowing a person to use amateur radio equipment to transmit in the event of an emergency ([Part 97.403](#)). The Part 97 rules don't actually use the word *emergency* in the exception to the rules, but instead states ***immediate safety of human life and immediate protection of property***, and even that ***when normal communication systems are not available***.

Being in need of a pizza is not normally considered a threat to life when phone service is unavailable, but you're covered in violating a written rule if you can justify the threat to your life or that of another.

Oops

As a salaried employee, you're typically “on the clock” all day. But, pulling out an HT and talking with a friend on a nearby repeater during working hours does not violate [Part 97.113\(a\)\(2\)](#) unless you attempt to conduct business or are communicating in relation to your job, like asking your friend to close a business deal you've been working on.

Conclusion

So, because of the exceptions, it's very possible to be “paid to communicate” for pay, in spite of the rules that state otherwise. And since we amateurs are diligent at following rules, it probably goes without saying that it's best to steer clear of the exceptions if possible. Can you think of others?

Anything to add? Email editor@utaharc.org

