

FCC Seeks Comment on Proposed Improvements to Its Equipment Authorization Process

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The Federal Communications Commission (FCC or Commission) has issued a notice of proposed rulemaking (NPRM) seeking comment on a number of proposed improvements to its equipment authorization program. Nearly all devices capable of emitting radiofrequency energy are required to participate in the program to ensure compliance with technical standards designed to minimize interference to radio communications. An FCC equipment authorization is generally a prerequisite for the importation and marketing of electronic devices.

As currently codified under Part 2 of the FCC's Rules, devices must be authorized in accordance with one of three procedures – certification, Declaration of Conformity (DOC), and verification. The three procedures specify testing requirements of varying rigor based on the interference potential of different classes of devices. In this proceeding, the Commission is proposing a number of changes to the current rules including the following:

- Combine the DOC and verification product approval programs into one product self-approval program;
- Codify and clarify the provisions for certification of modular transmitters – including those in products used for licensed radio services – and for radios where the RF parameters are controlled by software;
- Clarify responsibilities for compliance when a final product may be comprised of one or more certified modular transmitters;

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Practice Areas

Telecom, Media & Technology

- Codify existing practices that protect the confidentiality of market-sensitive information;
- Codify and expand existing guidance for electronic labeling;
- Eliminate unnecessary or duplicative rules and consolidate rules from various specific rule parts into the equipment authorization rules in Part 2; and
- Discontinue the requirement that importers file FCC Form 740 with Customs and Border Protection for RF devices that are imported into the United States.

Comments will be due within thirty (30) days of publication in the Federal Register, with reply comments due fifteen (15) days later.