

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	RM- _____
Amendment of Part 97 of the Commission's Rules	)	
to Eliminate the Minimum Age Requirement for	)	
Administering Volunteer Examiners	)	

To: The Commission

AMENDED PETITION FOR RULE MAKING

Jose L. Moran Urena ("Petitioner"), a licensed Amateur Extra Class amateur radio operator with call sign KE2IOZ, pursuant to Section 1.401 of the Commission's Rules (47 C.F.R. § 1.401), files this amendment to ECFS Submission No. 26110000471, and hereby respectfully requests that the Commission issue a Notice of Proposed Rule Making at the earliest possible date, proposing to amend Section 97.509(b) of the Commission's Rules, 47 C.F.R. § 97.509(b), by eliminating the requirement set by § 97.509(b)(2) that an administering Volunteer Examiner ("VE") be at least 18 years of age. As good cause for this Petition, Petitioner states as follows:

I. Introduction.

1. Section 97.509(b)(2) of the Commission's Rules, 47 C.F.R. § 97.509(b)(2), requires that an administering Volunteer Examiner ("VE") "[b]e at least 18 years of age." No age requirement exists to be issued an amateur operator license of any class. Indeed, the Commission itself describes the amateur and amateur-satellite services as being "for qualified persons of any age who are interested in radio technique solely with a personal aim and without pecuniary interest."¹ VEs, once accredited by a Volunteer Examiner Coordinator ("VEC") as required by § 97.509(b)(1), are responsible for "preparing and administering amateur service operator license examinations"² under VEC coordination.

II. Background.

2. Congress first authorized federal regulation of radio communication, including amateur stations, through the Radio Act of 1912.³ That Act was superseded by the Radio Act of 1927, and later, the Communications Act of 1934,⁴ which established the Commission and remains the foundational authority for Part 97 today.

3. Section 97.509 in its current form was published at 59 FR 54834 (Nov. 2, 1994), and has since been amended six times, most recently in 2014,⁵ with none of them changing paragraph (b)(2)'s minimum-age requirement.

4. Under the Commission's current rules, no minimum age is imposed for the issuance of an amateur operator license of any class. Children as young as five years old have passed FCC examinations and been granted licenses.⁶ A licensee's age has accordingly never been treated by the Commission as a measure of competence to hold or exercise the full privileges of an amateur license.

5. Section 97.509(b) currently requires each VE to be accredited by a VEC, be at least 18 years old, hold at least the amateur license class required for the type of examination to be conducted, and not have their amateur station or operator license ever revoked or suspended.

6. Petitioner holds an Amateur Extra Class amateur radio license, and is active in the amateur radio community. Under § 97.509(b)(3), Petitioner's license class is sufficient to administer any operator license examination. Petitioner is presently a minor under the age of 18 and is therefore barred from VEC accreditation as a VE solely by operation of § 97.509(b)(2), notwithstanding that Petitioner's license class independently satisfies the competency requirement of § 97.509(b)(3). Petitioner has a direct and personal interest in the relief requested, as would similarly situated licensed minors nationwide who hold General or Amateur Extra Class licenses.

III. The Commission Should Eliminate the Minimum Age Requirement Because License Class Already Ensures VE Competency.

7. Section 97.509(b)(3)(iii) requires Amateur Extra Class privileges to administer an Amateur Extra Class examination, the same privileges a minor may hold and exercise in full, on any allowed band and at any allowed power level, the moment they pass. There is no principled basis for trusting a minor's demonstrated mastery of the Amateur Extra Class question pool for full station operation while withholding that same trust for the narrower task of administering that examination.

8. Paragraph (b)(3) already functions as the rule's competency gate, tying administering privileges directly to license class: General Class and above for Technician examinations, Advanced Class and above for General examinations, and Amateur Extra Class alone for Amateur Extra examinations. This tiering ensures that no VE administers an examination beyond their own demonstrated qualification level. Removing paragraph (b)(2) simply removes a redundant barrier measured in years lived rather than knowledge attained.

9. Nor does age serve as the rule's only, or even primary, safeguard against VE error or misconduct. Paragraph (a) requires that examinations be administered by a team of at least three VEs, not a sole examiner. Paragraph (b)(1) requires independent accreditation by a Volunteer Examiner Coordinator ("VEC"). Paragraph (b)(4) excludes any person whose license has been revoked or suspended. Paragraph (d) prohibits a VE from testing close relatives. Paragraph (e) prohibits fraudulent administration or improper compensation. Under paragraph (i), certifying VEs are jointly and individually accountable for each examination. A qualified, accredited minor serving as a jointly accountable VE presents no greater risk to examination integrity than an adult VE.

10. Eliminating the age requirement would also expand the volunteer examiner pool, bringing new qualified and motivated volunteers into the pool of available examiners.

11. If the Commission is unwilling to eliminate the age requirement in its entirety, Petitioner respectfully requests, in the alternative, a rule permitting a minor who otherwise satisfies § 97.509(b)(1), (b)(3), and (b)(4) to serve as an administering VE, provided that at least one member of the same three-VE examination team is 18 years of age or older.

IV. Summary.

12. In summary, eliminating § 97.509(b)(2) is in the public interest because it removes a redundant eligibility barrier without weakening any of the rule's operative safeguards. License class, VEC accreditation, the three-VE team requirement, and the prohibition on individuals with a revoked or suspended license together already ensure that every administering VE is qualified and accountable. Age adds nothing to that determination that these provisions do not already provide, while its removal would expand the pool of qualified volunteers available to sustain the amateur service's licensing infrastructure.

13. Therefore, the foregoing considered, Petitioner hereby respectfully requests that the Commission issue a Notice of Proposed Rule Making at the earliest possible date, proposing to amend 47 C.F.R. § 97.509(b) by deleting paragraph (b)(2) in its entirety and renumbering current paragraphs (b)(3) and (b)(4) as (b)(2) and (b)(3), respectively.

V. Verification.

I, Jose L. Moran Urena, hereby verify that I have read the foregoing Amended Petition for Rule Making and that the facts stated therein are true and correct to the best of my knowledge, information, and belief.

DATED: August 12, 2026

Respectfully submitted,

/s/ Jose L. Moran Urena

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¹ FCC, Amateur Radio Service,

<https://www.fcc.gov/wireless/bureau-divisions/mobility-division/amateur-radio-service>.

² FCC, Volunteer Examiner Coordinators,

<https://www.fcc.gov/wireless/bureau-divisions/mobility-division/amateur-radio-service/volunteer-examiner-coordinators>.

³ Radio Act of 1912, ch. 287, 37 Stat. 302.

⁴ Communications Act of 1934, Pub. L. 73-416, 48 Stat. 1064.

⁵ 61 FR 9953 (Mar. 12, 1996); 62 FR 17567 (Apr. 10, 1997); 63 FR 68980 (Dec. 14, 1998); 65 FR 6551 (Feb. 10, 2000); 71 FR 66465 (Nov. 15, 2006); 79 FR 35291 (June 20, 2014).

⁶ D. Haldane, Girl Hams It Up for the World: Ham radio: At 5, she's maybe the youngest operator in U.S. Her mental skills are surprising., Los Angeles Times (July 21, 1991),

<https://www.latimes.com/archives/la-xpm-1991-07-21-hl-502-story.html>.