

## Federal Communications Commission

## § 90.155

(c) The provisions of this section do not apply to the 4940–4990 MHz band.

[43 FR 54791, Nov. 22, 1978, as amended at 45 FR 63862, Sept. 26, 1980; 51 FR 14997, Apr. 22, 1986; 58 FR 44956, Aug. 25, 1993; 62 FR 15992, Apr. 3, 1997; 63 FR 68963, Dec. 14, 1998; 68 FR 38639, June 30, 2003]

### § 90.138 Applications for itinerant frequencies.

An application for authority to conduct an itinerant operation in the Industrial/Business Pool must be restricted to use of itinerant frequencies or other frequencies not designated for permanent use and need not be accompanied by evidence of frequency coordination. Users should be aware that no interference protection is provided from other itinerant operations.

[72 FR 35194, June 27, 2007]

### § 90.149 License term.

(a) Except as provided in subpart R of this part, licenses for stations authorized under this part will be issued for a term not to exceed ten (10) years from the date of the original issuance or renewal.

(b) Non-exclusive geographic area licenses for DSRCs Roadside Units (RSUs) in the 5850–5925 MHz band will be issued for a term not to exceed ten years from the date of original issuance or renewal. The registration dates of individual RSUs (see § 90.375) will not change the overall renewal period of the single license.

(c) Authorizations for stations engaged in developmental operation under subpart Q of this part will be issued upon a temporary basis for a specific period of time, but in no event to extend beyond 1 year from date of original issuance, modification or renewal.

[43 FR 54791, Nov. 22, 1978, as amended at 49 FR 36376, Sept. 17, 1984; 56 FR 19602, Apr. 29, 1991; 56 FR 65858, Dec. 19, 1991; 59 FR 59958, Nov. 21, 1994; 62 FR 18924, Apr. 17, 1997; 63 FR 68964, Dec. 14, 1998; 65 FR 60875, Oct. 13, 2000; 69 FR 46442, Aug. 3, 2004; 70 FR 61061, Oct. 20, 2005]

### § 90.155 Time in which station must be placed in operation.

(a) All stations authorized under this part, except as provided in §§ 90.528, 90.529, 90.629, 90.631(f), 90.665, 90.685, and

90.1209, must be placed in operation within twelve (12) months from the date of grant or the authorization cancels automatically and must be returned to the Commission.

(b) A local government entity in the Public Safety Pool, applying for any frequency in this part, may also seek extended implementation authorization pursuant to § 90.629.

(c) For purposes of this section, a base station is not considered to be placed in operation unless at least one associated mobile station is also placed in operation. See also §§ 90.633(d) and 90.631(f).

(d) Multilateration LMS EA-licenses, authorized in accordance with § 90.353, must construct and place in operation a sufficient number of base stations that utilize multilateration technology (see paragraph (e) of this section) to provide multilateration location service to one-third of the EA's population within five years of initial license grant, and two-thirds of the population within ten years. Licensees may, in the alternative, provide substantial service to their licensed area within the appropriate five- and ten-year benchmarks. In demonstrating compliance with the construction and coverage requirements, the Commission will allow licensees to individually determine an appropriate field strength for reliable service, taking into account the technologies employed in their system design and other relevant technical factors. At the five- and ten-year benchmarks, licensees will be required to file a map and FCC Form 601 showing compliance with the coverage requirements (see § 1.946 of this chapter).

(e) A multilateration LMS station will be considered constructed and placed in operation if it is built in accordance with its authorized parameters and is regularly interacting with one or more other stations to provide location service, using multilateration technology, to one or more mobile units. Specifically, LMS multilateration stations will only be considered constructed and placed in operation if they are part of a system that can interrogate a mobile, receive