

placed in operation in accordance with § 90.155(e) on or before February 3, 1995; or

(2) The stations were not constructed and placed in operation in accordance with § 90.155(e) on or before February 3, 1995.

(c) Multilateration AVM systems that were constructed and placed in operation on or before February 3, 1995 will be given until April 1, 1998 to convert to the spectrum identified in their LMS system license. Such licensees may continue to operate their systems during this period. Licensees of multilateration AVM constructed and operational systems that do not file applications to modify on or before May 22, 1995, will be permitted to continue operations under the provisions of former § 90.239 until April 1, 1998 or the end of their original license term, whichever occurs first, at which time such licenses will cancel automatically and will not be renewed.

(d) Multilateration AVM licensees for stations that *were not* constructed and placed in operation on or before February 3, 1995 must construct their LMS systems and place them in operation on the spectrum identified in their LMS system license on or before September 1, 1996, or their licenses will cancel automatically (see Section 90.155 (e)). Also, these licenses will cancel automatically on July 1, 1996 unless timely modification applications are filed on or before this date (see paragraph (a) of this section).

(e) Non-multilateration systems licensed in spectrum other than the 902.00–904.00 and 909.75–921.75 MHz bands must modify their licenses by April 1, 1998 to specify operation solely in the bands provided in § 90.357(b) for non-multilateration systems and to operate their systems consistently with the provisions of § 90.353.

[60 FR 15253, Mar. 23, 1995, as amended at 61 FR 18986, Apr. 30, 1996]

§ 90.365 Partitioned licenses and disaggregated spectrum.

(a) *Eligibility.* (1) Party seeking approval for partitioning and disaggregation shall request an authorization pursuant to § 1.948 of this chapter.

(2) Multilateration LMS licensees may apply to partition their licensed geographic service area or disaggregate their licensed spectrum at any time following the grant of their licenses. Multilateration LMS licensees may partition or disaggregate to any party that is also eligible to be a multilateration LMS licensee. Partitioning is permitted along any service area defined by the parties, and spectrum may be disaggregated in any amount. The Commission will also consider requests for partial assignment of licenses that propose combinations of partitioning and disaggregation.

(b) *Partitioning.* In the case of partitioning, applicants and licensees must file FCC Form 603 pursuant to § 1.948 and list the partitioned service area on a schedule to the application. The geographic coordinates must be specified in degrees, minutes, and seconds to the nearest second of latitude and longitude and must be based upon the 1983 North American Datum (NAD83).

(c) *License term.* The license term for a partitioned license area, and for disaggregated spectrum shall be the remainder of the original licensee's license term.

(d) *Construction requirements—(1) Requirements for partitioning.* (i) Parties seeking authority to partition must meet one of the following construction requirements:

(A) The partitionee may certify that it will satisfy the applicable construction requirements for the partitioned license area; or

(B) The original licensee may certify that it has or will meet the construction requirement for the entire license area.

(ii) Failure by any partitionee to meet its respective construction requirements will result in the automatic cancellation of the partitioned or disaggregated license without further Commission action.

(2) *Requirements for disaggregation.* Parties seeking authority to disaggregate spectrum must certify in FCC Form 601 which of the parties will be responsible for meeting the five-year and ten-year construction requirements for the particular market.

[63 FR 40663, July 30, 1998, as amended at 63 FR 68966, Dec. 14, 1998]

§ 90.371

47 CFR Ch. I (10–1–08 Edition)

REGULATIONS GOVERNING THE LICENSING AND USE OF FREQUENCIES IN THE 5850–5925 MHZ BAND FOR DEDICATED SHORT-RANGE COMMUNICATIONS SERVICE (DSRCS)

§ 90.371 Dedicated short range communications service.

(a) These provisions pertain to systems in the 5850–5925 MHz band for Dedicated Short-Range Communications Service (DSRCS). DSRCS systems use radio techniques to transfer data over short distances between roadside and mobile units, between mobile units, and between portable and mobile units to perform operations related to the improvement of traffic flow, traffic safety, and other intelligent transportation service applications in a variety of environments. DSRCS systems may also transmit status and instructional messages related to the units involved. DSRCS Roadside Units are authorized under this part. DSRCS On-Board Units are authorized under part 95 of this chapter.

(b) DSRCS Roadside Units (RSUs) operating in the band 5850–5925 MHz shall not receive protection from Government Radiolocation services in operation prior to the establishment of the DSRCS station. Operation of DSRCS RSU stations within 75 kilometers of the locations listed in the table below must be coordinated through the National Telecommunications and Information Administration.

| Location | Latitude | Longitude |
|--------------------------------|----------|-----------|
| Ft. Lewis, WA | 470525N | 1223510W |
| Yakima Firing Center, WA | 464018N | 1202135W |
| Ft. Carson, CO | 383810N | 1044750W |
| Ft. Riley, KS | 385813N | 0965139W |
| Ft. Shafter, HI | 211800N | 1574900W |
| Hunter Army Airfield, GA | 320100N | 0810800W |
| Ft. Gillem, GA | 333600N | 0841900W |
| Ft. Benning, GA | 322130N | 0845815W |
| Ft. Stewart, GA | 315145N | 0813655W |
| Ft. Rucker, AL | 311947N | 0854255W |
| Yuma Proving Grounds, AZ | 330114N | 1141855W |
| Ft. Hood, TX | 310830N | 0974550W |
| Ft. Knox, KY | 375350N | 0855655W |
| Ft. Bragg, NC | 350805N | 0790035W |
| Ft. Campbell, KY | 363950N | 0872820W |
| Ft. Polk, LA | 310343N | 0931226W |
| Ft. Leonard Wood, MO | 374430N | 0920737W |
| Ft. Irwin, CA | 351536N | 1164102W |
| Ft. Sill, OK | 344024N | 0982352W |
| Ft. Bliss, TX | 314850N | 1062533W |
| Ft. Leavenworth, KS | 392115N | 0945500W |
| Ft. Drum, NY | 440115N | 0754844W |
| Ft. Gordon, GA | 332510N | 0820910W |
| Ft. McCoy, WI | 440636N | 0904127W |
| Ft. Dix, NJ | 400025N | 0743713W |

| Location | Latitude | Longitude |
|--|----------|-----------|
| Parks Reserve Forces Training Area, CA. | 374254N | 1214218W |
| Ft. Hunter Liggett, CA | 355756N | 1211404W |
| Pacific Missile Test Center, CA. | 340914N | 1190524W |
| Naval Air Development Center, PA. | 401200N | 0750500W |
| Mid-Atlantic Area Frequency Coordinator, MD. | 381710N | 0762500W |
| Naval Research Laboratory, MD. | 383927N | 0763143W |
| Naval Ocean Systems Center, CA. | 324500N | 1171000W |
| Naval Research Laboratory, DC. | 385500N | 0770000W |
| Naval Surface Weapons Center, MD. | 390205N | 0765900W |
| Naval Electronic Systems Engineering Activity, MD. | 381000N | 0762300W |
| Midway Research Center, VA | 382640N | 0772650W |
| Aberdeen Proving Ground, MD. | 392825N | 0760655W |
| Ft. Huachuca, AZ | 313500N | 1102000W |
| Ft. Monmouth, NJ | 401900N | 0740215W |
| Picatinny Arsenal, NJ | 405600N | 0743400W |
| Redstone Arsenal, AL | 343630N | 0863610W |
| White Sands Missile Range, NM. | 322246N | 1062813W |
| Army Research Laboratory, MD. | 390000N | 0765800W |
| Space and Missile Systems Center, CA. | 335500N | 1182200W |
| Edwards AFB, CA | 345400N | 1175200W |
| Patrick AFB, FL | 281331N | 0803607W |
| Eglin AFB, FL | 302900N | 0863200W |
| Holloman AFB, NM | 322510N | 1060601W |
| Kirtland AFB, NM | 350230N | 1063624W |
| Griffiss AFB, NY | 431315N | 0752431W |
| Wright-Patterson AFB, OH | 394656N | 0840539W |
| Hanscom AFB, MA | 422816N | 0711725W |
| Nellis AFB, NV | 361410N | 1150245W |
| Vandenberg AFB, CA | 344348N | 1203436W |
| U.S. Air Force Academy, CO | 385800N | 1044900W |
| Brooks AFB, TX | 292000N | 0982600W |
| Arnold AFB, TN | 352250N | 0860202W |
| Tyndall AFB, FL | 300412N | 0853436W |
| Charles E. Kelly Support Facility—Oakdale, PA. | 402357N | 0800925W |

(c) NTIA may authorize additional Government Radiolocation services. Once a new Federal assignment is made, the Commission's Universal Licensing System database will be updated, accordingly, to protect the new Federal assignment and the list in paragraph (b) of this section will be updated as soon as practicable.

[64 FR 66410, Nov. 26, 1999, as amended at 69 FR 46443, Aug. 3, 2004]

§ 90.373 Eligibility in the DSRCS.

The following entities are eligible to hold an authorization to operate Roadside units in the DSRCS:

(a) Any territory, possession, state, city, county, town or similar governmental entity.