

## **§ 95.1011**

(2) Persons who require language translation; or

(3) Persons who may otherwise benefit from auditory assistance communications in educational settings.

(b) Health care related communications for the ill.

(c) Law enforcement tracking signals (for homing or interrogation) including the tracking of persons or stolen goods under authority or agreement with a law enforcement agency (federal, state, or local) having jurisdiction in the area where the transmitters are placed.

(d) AMTS point-to-point network control communications.

### **§ 95.1011 Channel use policy.**

(a) The channels authorized to LPRS systems by this part are available on a shared basis only and will not be assigned for the exclusive use of any entity.

(b) Those using LPRS transmitters must cooperate in the selection and use of channels in order to reduce interference and make the most effective use of the authorized facilities. Channels must be selected in an effort to avoid interference to other LPRS transmissions.

(c) Operation is subject to the conditions that no harmful interference is caused to the United States Navy's SPASUR radar system (216.88-217.08 MHz) or to TV reception within the Grade B contour of any TV channel 13 station or within the 68 dBu predicted contour of any low power TV or TV translator station operating on channel 13.

### **§ 95.1013 Antennas.**

(a) The maximum allowable ERP for a station in the LPRS other than an AMTS station is 100 mW. The maximum allowable ERP for an AMTS station in the LPRS is 1 W, so long as emissions are attenuated, in accordance with § 80.211 of this chapter, at the band edges.

(b) AMTS stations must employ directional antennas.

(c) Antennas used with LPRS units must comply with the following:

(1) For LPRS units operating entirely within an enclosed structure, e.g., a building, there is no limit on antenna height;

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(2) For LPRS units not operating entirely within an enclosed structure, the tip of the antenna shall not exceed 30.5 meters (100 feet) above ground. In cases where harmful interference occurs the FCC may require that the antenna height be reduced; and

(3) The height limitation in paragraph (c)(2) of this section does not apply to LPRS units in which the antenna is an integral part of the unit.

[61 FR 46569, Sept. 4, 1996, as amended at 65 FR 77827, Dec. 13, 2000]

### **§ 95.1015 Disclosure policies.**

(a) Manufacturers of LPRS transmitters used for auditory assistance, health care assistance, and law enforcement tracking purposes must include with each transmitting device the following statement: "This transmitter is authorized by rule under the Low Power Radio Service (47 CFR part 95) and must not cause harmful interference to TV reception or United States Navy SPASUR installations. You do not need an FCC license to operate this transmitter. This transmitter may only be used to provide: auditory assistance to persons with disabilities, persons who require language translation, or persons in educational settings; health care services to the ill; law enforcement tracking services under agreement with a law enforcement agency; or automated maritime telecommunications system (AMTS) network control communications. Two-way voice communications and all other types of uses not mentioned above are expressly prohibited."

(b) Prior to operating a LPRS transmitter for AMTS purposes, an AMTS licensee must notify, in writing, each television station that may be affected by such operations, as defined in § 80.215(h) of this chapter. The notification provided with the station's license application is sufficient to satisfy this requirement if no new television stations would be affected.

### **§ 95.1017 Labeling requirements.**

(a) Each LPRS transmitting device shall bear the following statement in a conspicuous location on the device: "This device may not interfere with TV reception or Federal Government radar."

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(b) Where an LPRS device is constructed in two or more sections connected by wires and marketed together, the statement specified in this section is required to be affixed only to the main control unit.

(c) When the LPRS device is so small or for such use that it is not practicable to place the statement specified in the section on it, the statement must be placed in a prominent location in the instruction manual or pamphlet supplied to the user or, alternatively, shall be placed on the container in which the device is marketed.

[61 FR 46569, Sept. 4, 1996, as amended at 67 FR 6193, Feb. 11, 2002]

### § 95.1019 Marketing limitations.

Transmitters intended for operation in the LPRS may be marketed and sold only for those uses described in § 95.1009.

[64 FR 69933, Dec. 15, 1999]

## Subpart H—Wireless Medical Telemetry Service (WMTS)

SOURCE: 65 FR 44008, July 17, 2000, unless otherwise noted.

### GENERAL PROVISIONS

#### § 95.1101 Scope.

This subpart sets out the regulations governing the operation of Wireless Medical Telemetry Devices in the 608–614 MHz, 1395–1400 MHz, and 1427–1432 MHz frequency bands. See § 95.630 regarding permissible frequencies.

[75 FR 19285, April 14, 2010]

#### § 95.1103 Definitions.

(a) *Authorized health care provider.* A physician or other individual authorized under state or federal law to provide health care services, or any other health care facility operated by or employing individuals authorized under state or federal law to provide health care services, or any trained technician operating under the supervision and control of an individual or health care facility authorized under state or federal law to provide health care services.

(b) *Health care facility.* A health care facility includes hospitals and other establishments that offer services, facilities and beds for use beyond a 24 hour period in rendering medical treatment, and institutions and organizations regularly engaged in providing medical services through clinics, public health facilities, and similar establishments, including government entities and agencies such as Veterans Administration hospitals; except the term health care facility does not include an ambulance or other moving vehicle.

(c) *Wireless medical telemetry.* The measurement and recording of physiological parameters and other patient-related information via radiated bi-or unidirectional electromagnetic signals in the 608–614, 1395–1400 MHz and 1427–1432 MHz frequency bands.

[65 FR 44008, July 17, 2000, as amended at 67 FR 6194, Feb. 11, 2002; 75 FR 19285, Apr. 14, 2010]

#### § 95.1105 Eligibility.

Authorized health care providers are authorized by rule to operate transmitters in the Wireless Medical Telemetry Service without an individual license issued by the Commission provided the coordination requirements in § 95.1111 have been met. Manufacturers of wireless medical telemetry devices and their representatives are authorized to operate wireless medical telemetry transmitters in this service solely for the purpose of demonstrating such equipment to, or installing and maintaining such equipment for, duly authorized health care providers. No entity that is a foreign government or which is active in the capacity as a representative of a foreign government is eligible to operate a WMTS transmitter.

#### § 95.1107 Authorized locations.

The operation of a wireless medical telemetry transmitter under this part is authorized anywhere within a health care facility provided the facility is located anywhere a CB station operation is permitted under § 95.405. This authority does not extend to mobile vehicles, such as ambulances, even if those vehicles are associated with a health care facility.