

measurement instrument should be consulted for determining pulse desensitization factors, as necessary.

(c) Unless otherwise specified, e.g. §15.255(b), when the radiated emission limits are expressed in terms of the average value of the emission, and pulsed operation is employed, the measurement field strength shall be determined by averaging over one complete pulse train, including blanking intervals, as long as the pulse train does not exceed 0.1 seconds. As an alternative (provided the transmitter operates for longer than 0.1 seconds) or in cases where the pulse train exceeds 0.1 seconds, the measured field strength shall be determined from the average absolute voltage during a 0.1 second interval during which the field strength is at its maximum value. The exact method of calculating the average field strength shall be submitted with any application for certification or shall be retained in the measurement data file for equipment subject to notification or verification.

[54 FR 17714, Apr. 25, 1989, as amended at 56 FR 13083, Mar. 29, 1991; 61 FR 14502, Apr. 2, 1996; 63 FR 42279, Aug. 7, 1998; 67 FR 34855, May 16, 2002; 70 FR 6773, Feb. 9, 2005]

**§ 15.37 Transition provisions for compliance with the rules.**

Equipment may be authorized, manufactured and imported under the rules in effect prior to June 23, 1989, in accordance with the following schedules:

(a) *For all intentional and unintentional radiators, except for receivers:* Radio frequency equipment verified by the responsible party or for which an application for a grant of equipment authorization is submitted to the Commission on or after June 23, 1992, shall comply with the regulations specified in this part. Radio frequency equipment that is manufactured or imported on or after June 23, 1994, shall comply with the regulations specified in this part.

(b) *For receivers:* Receivers subject to the regulations in this part that are manufactured or imported on or after June 23, 1999, shall comply with the regulations specified in this part. However, if a receiver is associated with a transmitter that could not have been authorized under the regulations in ef-

fect prior to June 23, 1989, e.g., a transmitter operating under the provisions of §15.209 or §15.249 (below 960 MHz), the transition provisions in this section do not apply. Such receivers must comply with the regulations in this part. In addition, receivers are subject to the provisions in paragraph (f) of this section.

(c) There are no restrictions on the operation or marketing of equipment complying with the regulations in effect prior to June 23, 1989.

(d) Prior to May 25, 1991, person shall import, market or operate intentional radiators within the band 902-905 MHz under the provisions of §15.249. Until that date, the Commission will not issue a grant of equipment authorization for equipment operating under §15.249 if the equipment is designed to permit operation within the band 902-905 MHz.

(e) *For cordless telephones:* The manufacture and importation of cordless telephones not complying with §15.214(d) of this part shall cease on or before September 11, 1991. These provisions will not apply to cordless telephones which are repaired or refurbished, or re-imported after repair or refurbishment. Applications for a grant of equipment authorization of cordless telephones not complying with §15.214(d) of this part will not be accepted by the Commission after May 10, 1991. Cordless telephones that have previously received equipment authorization and that, without modification, already comply with the requirements of §15.214(d) of this part, need not be re-authorized.

(f) The manufacture or importation of scanning receivers, and frequency converters designed or marketed for use with scanning receivers, that do not comply with the provisions of §15.121(a)(1) shall cease on or before April 26, 1994. Effective April 26, 1993, the Commission will not grant equipment authorization for receivers that do not comply with the provisions of §15.121(a)(1). These rules do not prohibit the sale or use of authorized receivers manufactured in the United States, or imported into the United States, prior to April 26, 1994.

(g) For CPU boards and power supplies designed to be used with personal

## § 15.38

computers: The manufacture and importation of these products shall cease on or before June 19, 1997 unless these products have been authorized under a Declaration of Conformity or a grant of certification, demonstrating compliance with all of the provisions in this part. Limited provisions, as detailed in §15.101(d), are provided to permit the importation and manufacture of these products subsequent to this date where the CPU boards and/or power supplies are marketed only to personal computer equipment manufacturers.

(h) The manufacture or importation of scanning receivers, and frequency converters designed or marketed for use with scanning receivers, that do not comply with the provisions of §15.121 shall cease on or before October 25, 1999. Effective July 26, 1999 the Commission will not grant equipment authorization for receivers that do not comply with the provisions of §15.121. This paragraph does not prohibit the sale or use of authorized receivers manufactured in the United States, or imported into the United States, prior to October 25, 1999.

(i) Effective October 16, 2002, an equipment approval may no longer be obtained for medical telemetry equipment operating under the provisions of §15.241 or §15.242. The requirements for obtaining an approval for medical telemetry equipment after this date are found in Subpart H of Part 95 of this chapter.

(j) All radio frequency devices that are authorized under the certification, verification or declaration of conformity procedures on or after July 12, 2004 shall comply with the conducted limits specified in §15.107 or §15.207 as appropriate. All radio frequency devices that are manufactured or imported on or after July 11, 2005 shall comply with the conducted limits specified in §15.107 or §15.207, as appropriate. Equipment authorized, imported or manufactured prior to these dates shall comply with the conducted limits specified in §15.107 or §15.207, as appropriate, or with the conducted limits that were in effect immediately prior to September 9, 2002.

(k) Radar detectors manufactured or imported after August 28, 2002 and marketed after September 27, 2002 shall

## 47 CFR Ch. I (10–1–11 Edition)

comply with the regulations specified in this part. Radar detectors manufactured or imported prior to January 27, 2003 may be labeled with the information required by §§2.925 and 15.19(a) of this chapter on the individual equipment carton rather than on the device, and are exempt from complying with the requirements of §15.21.

(l) U–NII equipment operating in the 5.25–5.35 GHz band for which applications for certification are filed on or after July 20, 2006 shall comply with the DFS and TPC requirements specified in §15.407. U–NII equipment operating in the 5.25–5.35 GHz band that are imported or marketed on or after July 20, 2007 shall comply with the DFS and TPC requirements in §15.407.

(m) All Access BPL devices that are manufactured, imported, marketed or installed on or after July 7, 2006, shall comply with the requirements specified in subpart G of this part, including certification of the equipment.

(n) Marketing of TV band devices operating under subpart H of this part is not permitted prior to February 18, 2009.

[54 FR 17714, Apr. 25, 1989; 54 FR 32339, Aug. 7, 1989; 55 FR 25095, June 20, 1990; 56 FR 3785, Jan. 31, 1991; 58 FR 25575, Apr. 27, 1993; 61 FR 31049, June 19, 1996; 64 FR 22561, Apr. 27, 1999; 65 FR 44008, July 17, 2000; 67 FR 45670, July 10, 2002; 67 FR 48993, July 29, 2002; 69 FR 2686, Jan. 20, 2004; 70 FR 1373, Jan. 7, 2005; 70 FR 17329, Apr. 6, 2005; 71 FR 11540, Mar. 8, 2006; 74 FR 7326, Feb. 17, 2009]

### § 15.38 Incorporation by reference.

(a) The materials listed in this section are incorporated by reference in this part. These incorporations by reference were approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. These materials are incorporated as they exist on the date of the approval, and notice of any change in these materials will be published in the FEDERAL REGISTER. The materials are available for purchase at the corresponding addresses as noted, and all are available for inspection at the Federal Communications Commission, 445 12th St., SW., Reference Information Center, Room CY–A257, Washington, DC 20554, (202) 418–0270, and at the National Archives and Records Administration (NARA). For information on