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regulated by the FCC (see R/C Rule 5, §95.205);

(2) Aboard any vessel or aircraft registered in the United States; or

(3) Aboard any unregistered vessel or aircraft owned or operated by a United States citizen or company.

(b) Your R/C station must comply with technical rules found in subpart E of part 95.

(c) Where the rules use the word "you", "you" means a person operating an R/C station.

(d) Where the rules use the word "person," the rules are concerned with an individual, a corporation, a partnership, an association, a joint stock company, a trust, a state, territorial or local government unit, or other legal entity.

(e) Where the rules use the term "FCC," that means the Federal Communications Commission.

(f) Where the rules use the term "R/C station," that means a radio station transmitting in the R/C Radio Service.

**§ 95.203 (R/C Rule 3) Am I eligible to operate an R/C station?**

You are authorized to operate an R/C station unless:

(a) You are a foreign government, a representative of a foreign government, or a federal government agency; or

(b) The FCC has issued a cease and desist order to you, and the order is still in effect.

**§ 95.204 (R/C Rule 4) Do I need a license?**

You do not need an individual license to operate an R/C station. You are authorized by this rule to operate your R/C station in accordance with the rules in this subpart.

**§ 95.205 (R/C Rule 5) Where may I operate my R/C station?**

You are authorized to operate your R/C station from:

(a) Within or over any area of the world where radio services are regulated by the FCC. Those areas are within the territorial limits of:

- (1) The fifty United States
- (2) The District of Columbia

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*Caribbean Insular areas*

- (3) Commonwealth of Puerto Rico
- (4) Navassa Island
- (5) United States Virgin Islands (50 islets and cays)

*Pacific Insular areas*

- (6) American Samoa (seven islands)
- (7) Baker Island
- (8) Commonwealth of Northern Mariana Islands
- (9) Guam Island
- (10) Howland Island
- (11) Jarvis Island
- (12) Johnston Island (Islets East, Johnston, North and Sand)
- (13) Kingman Reef
- (14) Midway Island (Islets Eastern and Sand)
- (15) Palmyra Island (more than 50 islets)
- (16) Wake Island (Islets Peale, Wake and Wilkes)

(b) Any other area of the world, except within the territorial limits of areas where radio services are regulated by—

(1) An agency of the United States other than the FCC. (You are subject to its rules.)

(2) Any foreign government. (You are subject to its rules.)

(c) An aircraft or ship, with the permission of the captain, within or over any area of the world where radio services are regulated by the FCC or upon or over international waters. You must operate your R/C station according to any applicable treaty to which the United States is a party.

**§ 95.206 (R/C Rule 6) Are there any special restrictions on the location of my R/C station?**

(a) If your R/C station is located on premises controlled by the Department of Defense, you may be required to comply with additional regulations imposed by the commanding officer of the installation.

(b) If your R/C station will be constructed on an environmental sensitive site, or will be operated in such a manner as to raise environmental problems, under §1.1307 of this chapter, you must provide an environmental assessment, as set forth in §1.1311 of this chapter, and undergo environmental

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review §1.1312 of this chapter, before commencement of construction.

(c) Anyone intending to operate an R/C station on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra in a manner that could pose an interference threat to the Arecibo Observatory shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the location of the unit. Operators may wish to consult interference guidelines, which will be provided by Cornell University. Operators who choose to transmit information electronically should e-mail to: prcz@naic.edu.

(1) The notification to the Interference Office, Arecibo Observatory shall be made 45 days prior to commencing operation of the unit. The notification shall state the geographical coordinates of the unit.

(2) After receipt of such notifications, the Commission will allow the Arecibo Observatory a period of 20 days for comments or objections. The operator will be required to make reasonable efforts in order to resolve or mitigate any potential interference problem with the Arecibo Observatory. If the Commission determines that an operator has satisfied its responsibility to make reasonable efforts to protect the Observatory from interference, the unit may be allowed to operate.

[48 FR 24890, June 3, 1983, as amended at 55 FR 20398, May 16, 1990; 62 FR 55535, Oct. 27, 1997; 70 FR 31374, June 1, 2005]

HOW TO OPERATE AN R/C STATION

§ 95.207 (R/C Rule 7) On what channels may I operate?

(a) Your R/C station may transmit only on the following channels (frequencies):

(1) The following channels may be used to operate any kind of device (any object or apparatus, except an R/C transmitter), including a model aircraft device (any small imitation of an aircraft) or a model surface craft device (any small imitation of a boat, car or vehicle for carrying people or objects, except aircraft): 26.995, 27.045, 27.095, 27.145, 27.195 and 27.255 MHz.

(2) The following channels may only be used to operate a model aircraft device:

Table with 2 columns: Frequency (MHz) and Channel number. Lists frequencies from 72.01 to 72.99.

(3) The following channels may only be used to operate a model surface craft devices:

Table with 2 columns: Frequency (MHz) and Channel number. Lists frequencies from 75.41 to 75.99.

(b) You must share the channels with other R/C stations. You must cooperate in the selection and use of the channels. You must share the Channel 27.255 MHz with stations in other radio services. There is no protection from interference on any of these channels.

(c) Your R/C station may not transmit simultaneously on more than one channel in the 72-76 MHz band when