

§ 95.3

service area. The rules for this service are contained in subpart F of this part.

[48 FR 35237, Aug. 3, 1983, as amended at 50 FR 7345, Feb. 22, 1985; 53 FR 47714, Nov. 25, 1988; 57 FR 8275, Mar. 9, 1992; 62 FR 23163, Apr. 29, 1997; 64 FR 59659, Nov. 3, 1999]

§ 95.3 License required.

Before any station transmits on any channel authorized in the GMRS from any *point* (a geographical location) within or over the territorial limits of any area where radio services are regulated by the FCC, the responsible party must obtain a *license* (a written authorization from the FCC for a GMRS system).

[53 FR 47714, Nov. 25, 1988]

§ 95.5 Licensee eligibility.

(a) An *individual* (one man or one woman) is eligible to obtain, renew, and have modified a GMRS system license if that individual is 18 years of age or older and is not a representative of a foreign government.

(b) A *non-individual* (an entity other than an individual) is ineligible to obtain a new GMRS system license or make a major modification to an existing GMRS system license (see § 1.929 of this chapter).

(c) A GMRS system licensed to a non-individual before July 31, 1987, is eligible to renew that license and all subsequent licenses based upon it if:

(1) The non-individual is a partnership and each partner is 18 years of age or older; a corporation; an association; a state, territorial, or local government unit; or a legal entity;

(2) The non-individual is not a foreign government; a representative of a foreign government; or a federal government agency; and

(3) The licensee has not been granted a major modification to its GMRS system.

[64 FR 53241, Oct. 1, 1999]

§ 95.7 Channel sharing.

(a) Channels or channel pairs (one 462 MHz frequency listed in § 95.29(a) of this part and one 467 MHz frequency listed in § 95.29(b) of this part) are available to GMRS systems only on a shared basis and will not be assigned for the exclusive use of any licensee. All sta-

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tion operators and GMRS system licensees must cooperate in the selection and use of channels to reduce interference and to make the most effective use of the facilities.

(b) Licensees of GMRS systems suffering or causing harmful interference are expected to cooperate and resolve this problem by mutually satisfactory arrangements. If the licensees are unable to do so, the FCC may impose restrictions including specifying the transmitter power, antenna height, or area or hours of operation of the stations concerned. Further, the use of any frequency at a given geographical location may be denied when, in the judgment of the FCC, its use in that location is not in the public interest; the use of any channel or channel pair may be restricted as to specified geographical areas, maximum power, or other operating conditions.

[48 FR 35237, Aug. 3, 1983, as amended at 53 FR 47715, Nov. 25, 1988; 63 FR 68974, Dec. 14, 1998; 64 FR 53241, Oct. 1, 1999]

§ 95.21 GMRS system description.

A *GMRS system* is one or more transmitting units used by station operators to communicate messages. A GMRS system is comprised of:

(a) One or more station operators;

(b) One mobile station consisting of one or more mobile units (see § 95.23 of this part);

(c) One or more land stations (optional);

(d) Paging receivers (optional); and

(e) Fixed stations (optional).

[63 FR 68974, Dec. 14, 1998]

§ 95.23 Mobile station description.

(a) A *mobile station* is one or more units which transmit while moving or during temporary stops at unspecified points.

(b) A mobile station unit may transmit from any point within or over any areas where radio services are regulated by the FCC *except* where additional considerations apply.

(c) A mobile station unit may transmit from an aircraft or ship, with the captain's permission, which is:

(1) Within or over any area where radio services are regulated by the FCC