

§95.1511

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(MAC) and Physical Layer (PHY) Specifications published September 2003 (ASTM E2213–03 DSRC Standard). The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be inspected at the Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554 or National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/](http://www.archives.gov/federal_register/)

*code\_of\_federal\_regulations/ibr\_locations.html*. Copies of the ASTM E2213–03 DSRC Standard can be obtained from ASTM International, 100 Barr Harbor Drive, PO Box C700, West Conshohocken, PA 19428–2959. Copies may also be obtained from ASTM via the Internet at <http://www.astm.org>.

§95.1511 Frequencies available.

(a) The following table indicates the channel designations of frequencies available for assignment to eligible applicants within the 5850–5925 MHz band for On-Board Units (OBUs):<sup>1</sup>

Channel No.	Channel use	Frequency range (MHz)
170	Reserved	5850–5855
172	Service Channel <sup>2</sup>	5855–5865
174	Service Channel	5865–5875
175	Service Channel <sup>3</sup>	5865–5885
176	Service Channel	5875–5885
178	Control Channel	5885–5895
180	Service Channel	5895–5905
181	Service Channel <sup>3</sup>	5895–5915
182	Service Channel	5905–5915
184	Service Channel <sup>4</sup>	5915–5925

<sup>1</sup> The maximum output power for portable DSRCS–OBUs is 1.0 mW. See §95.639(i).  
<sup>2</sup> Channel 172 is designated for public safety applications involving safety of life and property.  
<sup>3</sup> Channel Nos. 174/176 may be combined to create a twenty megahertz channel, designated Channel No. 175. Channels 180/182 may be combined to create a twenty-megahertz channel, designated Channel No. 181.  
<sup>4</sup> Channel 184 is designated for public safety applications involving safety of life and property.

(b) Except as provided in paragraph (c) of this section, non-reserve DSRCS channels are available on a shared basis only for use in accordance with the Commission’s rules. All licensees shall cooperate in the selection and use of channels in order to reduce interference. This includes monitoring for communications in progress and any other measures as may be necessary to minimize interference. Licensees suffering or causing harmful interference within a communications zone are expected to cooperate and resolve this problem by mutually satisfactory arrangements. If the licensees are unable to do so, the Commission may impose restrictions, including specifying the transmitter power, antenna height and direction, additional filtering, or area or hours of operation of the stations concerned. Further, the use of any channel at a given geographical location may be denied when, in the judgment of the Commission, its use at that location is not in the public interest; the use of any channel may be re-

stricted as to specified geographical areas, maximum power, or such other operating conditions, contained in this part or in the station authorization.

(c) *Safety/public safety priority.* The following access priority governs all DSRCS operations:

(1) Communications involving the safety of life have access priority over all other DSRCS communications;

(2) Subject to a control channel priority system management strategy (see ASTM E2213–03 DSRC Standard at §4.1.1.2(4)), DSRCS communications involving public safety have access priority over all other DSRC communications not listed in paragraph (c)(1) of this section. On-Board Units (OBUs) operated by state or local governmental entities are presumptively engaged in public safety priority communications.

(d) *Non-priority communications.* DSRCS communications not listed in paragraph (c) of this section, are non-priority communications. If a dispute arises concerning non-priority DSRCS–

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OBU communications with Roadside Units (RSUs), the provisions of § 90.377(e) and (f) of this chapter will apply. Disputes concerning non-priority DSRCS-OBU communications not associated with RSUs are governed by paragraph (b) of this section.

[71 FR 52750, Sept. 7, 2006]

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APPENDIX 2 TO PART 97—VEC REGIONS

AUTHORITY: 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303. Interpret or apply 48 Stat. 1064–1068, 1081–1105, as amended; 47 U.S.C. 151–155, 301–609, unless otherwise noted.

SOURCE: 54 FR 25857, June 20, 1989, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 97 appear at 63 FR 54077, Oct. 8, 1998.

#### Subpart A—General Provisions

##### § 97.1 Basis and purpose.

The rules and regulations in this part are designed to provide an amateur radio service having a fundamental purpose as expressed in the following principles:

- (a) Recognition and enhancement of the value of the amateur service to the public as a voluntary noncommercial