

§ 95.402

this chapter. DSRCS, RSU, and OBU are defined in §90.7 of this chapter.

[61 FR 28769, June 6, 1996, as amended at 61 FR 46566, Sept. 4, 1996; 64 FR 69929, Dec. 15, 1999; 65 FR 44008, July 17, 2000; 65 FR 53190, Sept. 1, 2000; 65 FR 60877, Oct. 13, 2000; 67 FR 63289, Oct. 11, 2002; 68 FR 9901, Mar. 3, 2003; 69 FR 46445, Aug. 3, 2004; 74 FR 22705, May 14, 2009]

§ 95.402 (CB Rule 2) How do I use these rules?

(a) You must comply with these rules (See CB Rule 21 §95.421, for the penalties for violations) when you operate a station in the CB Service from:

(1) Within or over the territorial limits of places where radio services are regulated by the FCC (see CB Rule 5, §95.405);

(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 CB 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 a CB 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 “CB station”, that means a radio station transmitting in the CB Radio Service.

§ 95.403 (CB Rule 3) Am I eligible to operate a CB station?

You are authorized to operate a CB 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.

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§ 95.404 (CB Rule 4) Do I need a license?

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

§ 95.405 (CB Rule 5) Where may I operate my CB station?

You are authorized to operate your CB 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.

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 CB station according to

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any applicable treaty to which the United States is a party.

(d) Anyone intending to operate a CB 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 24894, June 3, 1983, as amended at 62 FR 55535, Oct. 27, 1997; 70 FR 31374, June 1, 2005]

§ 95.406 (CB Rule 6) Are there any special restrictions on the location of my CB station?

(a) If your CB 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 C/B station will be constructed on an environmentally 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 the environ-

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

[48 FR 24894, June 3, 1983, as amended at 55 FR 20398, May 16, 1990]

HOW TO OPERATE A CB STATION

§ 95.407 (CB Rule 7) On what channels may I operate?

(a) Your CB station may transmit only on the following channels (frequencies):

| Channel | Frequency (megahertz—MHz) |
|----------|---------------------------|
| 1 | 26.965 |
| 2 | 26.975 |
| 3 | 26.985 |
| 4 | 27.005 |
| 5 | 27.015 |
| 6 | 27.025 |
| 7 | 27.035 |
| 8 | 27.055 |
| 9 | ¹ 27.065 |
| 10 | 27.075 |
| 11 | 27.085 |
| 12 | 27.105 |
| 13 | 27.115 |
| 14 | 27.125 |
| 15 | 27.135 |
| 16 | 27.155 |
| 17 | 27.165 |
| 18 | 27.175 |
| 19 | 27.185 |
| 20 | 27.205 |
| 21 | 27.215 |
| 22 | 27.225 |
| 23 | 27.255 |
| 24 | 27.235 |
| 25 | 27.245 |
| 26 | 27.265 |
| 27 | 27.275 |
| 28 | 27.285 |
| 29 | 27.295 |
| 30 | 27.305 |
| 31 | 27.315 |
| 32 | 27.325 |
| 33 | 27.335 |
| 34 | 27.345 |
| 35 | 27.355 |
| 36 | 27.365 |
| 37 | 27.375 |
| 38 | 27.385 |
| 39 | 27.395 |
| 40 | 27.405 |

¹ See paragraph (b) of this section.

(b) Channel 9 may be used only for emergency communications or for traveler assistance.

(c) You must, at all times and on all channels, give priority to emergency communication messages concerning the immediate safety of life or the immediate protection of property.

(d) You may use any channel for emergency communications or for traveler assistance.