

## Federal Communications Commission

## § 95.45

GMRS station that simultaneously retransmits the transmission of another GMRS station on a different channel or channels), the licensee of the GMRS system must select the transmitting channels or channel pairs (*see* §95.7(a) of this part) for the stations in the GMRS system from the following 462 MHz channels:

462.5500, 462.5750, 462.6000, 462.6250, 462.6500, 462.6750, 462.7000 and 462.7250.

(b) For a mobile station, control station, or fixed station operated in the duplex mode, the following 467 MHz channels may be used only to transmit communications through a repeater station and for remotely controlling a repeater station. The licensee of the GMRS system must select the transmitting channels or channel pairs (*see* §95.7(a) of this part) for the stations operated in the duplex mode, from the following 467 MHz channels:

467.5500, 467.5750, 467.6000, 467.6250, 467.6500, 467.6750, 467.7000 and 467.7250.

(c)–(e) [Reserved]

(f) Except for a GMRS system licensed to a non-individual, a mobile station or a small base station operating in the simplex mode may transmit on the following 462 MHz interstitial channels:

462.5625, 462.5875, 462.6125, 462.6375, 462.6625, 462.6875 and 462.7125.

These channels may be used only under the following conditions:

(1) Only voice type emissions may be transmitted;

(2) The station does not transmit one-way pages; and

(3) The station transmits with no more than 5 watts ERP.

(g) Fixed stations in GMRS systems authorized before March 18, 1968, located 160 kilometers (100 miles) or more from the geographic center of urbanized areas of 200,000 or more population as defined in the U.S. Census of Population, 1960, Vol. 1, Table 23, page 50 that were authorized to transmit on channels other than those listed in this section may continue to transmit on their originally assigned channels provided that they cause no interference to the operation of stations in any of

the part 90 private land mobile radio services.

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

### § 95.33 Cooperative use of radio stations in the GMRS.

(a) *Licensees* (a licensee is the entity to which the license is issued) of radio stations in the GMRS may share the use of their stations with other entities eligible in the GMRS, subject to the following conditions and limitations.

(1) The station to be shared must be individually owned by the licensee, jointly owned by the participants and the licensee, leased individually by the licensee, or leased jointly by the participants and the licensee.

(2) The licensee must maintain access to and control over all stations authorized under its license.

(3) A station may be shared only:

(i) Without charge;

(ii) On a non-profit basis, with contributions to capital and operating expenses including the cost of mobile stations and paging receivers prorated equitably among all participants; or

(iii) On a reciprocal basis, i.e., use of one licensee's stations for the use of another licensee's stations without charge for either capital or operating expenses.

(4) All sharing arrangements must be conducted in accordance with a written agreement to be kept as part of the station records.

(b) [Reserved]

[48 FR 35237, Aug. 3, 1983, as amended at 63 FR 68975, Dec. 14, 1998]

### § 95.45 Considerations on Department of Defense land and in other circumstances.

(a) The Department of Defense may impose additional restrictions on a station transmitting on its land. (Before placing a station at such a point, a licensee should consult with the commanding officer in charge of the land.)

(b) Additional restrictions may apply when a land station in a GMRS system is located near FCC field offices, near United States borders, in quiet zones,

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or when it may have a significant impact upon the environment. *See* §§ 1.923 and 1.924 of this chapter.

[63 FR 68975, Dec. 14, 1998]

### § 95.51 Antenna height.

(a) Certain antenna structures used in a GMRS system and that are more than 60.96 m (200 ft) in height, or are located near or at a public-use airport must be notified to the FAA and registered with the Commission as required by part 17 of this chapter.

(b) The antenna for a small base station or for a small control station must not be more than 6.1 meters (20 feet) above the ground or above the building or tree on which it is mounted.

[63 FR 68975, Dec. 14, 1998]

### § 95.101 What the license authorizes.

(a) A GMRS license authorizes a GMRS station to transmit messages to other GMRS stations at any geographical location within or over the territorial limits of any area where radio services are regulated by the FCC. These points are listed in Appendix A.

(b) The license does not authorize operation as a common carrier or communication of messages for pay.

(c) If the licensee is a corporation and the license so indicates, it may use its GMRS system to furnish non-profit radio communication service to its parent corporation, to another subsidiary of the same parent, or to its own subsidiary. Such use is not subject to the cooperative use provisions of § 95.33.

(d) For non-individual licensees, the license together with the system specifications for that license as maintained by the Commission represent the non-individual licensees' maximum authorized system.

[48 FR 35237, Aug. 3, 1983, as amended at 63 FR 68975, Dec. 14, 1998; 64 FR 53242, Oct. 1, 1999]

### § 95.103 Licensee duties.

The licensee is responsible for the proper operation of the GMRS system at all times. The licensee is also re-

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sponsible for the appointment of a station operator.

[63 FR 68975, Dec. 14, 1998]

EDITORIAL NOTE: At 64 FR 53242, Oct. 1, 1999, § 95.103 was amended by revising paragraphs (a) and (b), effective Nov. 30, 1999. However, § 95.103, as revised at 63 FR 68975, Dec. 14, 1998, effective Feb. 12, 1999, does not contain paragraphs (a) and (b), and the revisions could not be made. For the convenience of the user, the revised text is set forth as follows:

### § 95.103 Licensee duties.

(a) The licensee is responsible for the proper operation of the GMRS system at all times. The licensee is also responsible for the appointment of a station operator.

(b) The licensee may limit the use of repeater to only certain user stations.

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### § 95.105 License term.

A license for a GMRS system is usually issued for a 5-year term.

[63 FR 68975, Dec. 14, 1998]

### § 95.115 Station inspection.

If an authorized FCC representative requests to inspect any station in a GMRS system, the licensee or station operator must make the station available. If an authorized FCC representative requests to inspect the GMRS system records, the licensee must make them available.

[48 FR 35237, Aug. 3, 1983, as amended at 63 FR 68975, Dec. 14, 1998]

### § 95.117 Where to contact the FCC.

Additional GMRS information may be obtained from any of the following sources:

(a) FCC National Call Center at 1-888-225-5322.

(b) FCC World Wide Web homepage: <http://www.fcc.gov/wtb/prs>.

(c) In writing, to the FCC, Attention: GMRS, 1270 Fairfield Road, Gettysburg, PA 17325-7245.

[63 FR 68975, Dec. 14, 1998]

### § 95.119 Station identification.

(a) Except as provided in paragraph (e), every GMRS station must transmit a station identification: