

systems under §90.529 may share the use of their systems (for public safety services not made commercially available to the public) with any entity that would be eligible for licensing under §90.523 and Federal government entities.

(h) Notwithstanding paragraph (a) of this section, licensees authorized to operate radio systems on Industrial/Business Pool frequencies designated in §90.35 may share their facilities with Public Safety Pool entities designated in §90.20 and with Federal Government entities on a non-profit, cost-shared basis. Such a sharing arrangement is subject to the provisions of paragraphs (b), (d), and (e) of this section.

(i) The provisions of this section do not apply to licensees authorized to provide commercial mobile radio service under this part, including licensees authorized to use channels transferred or assigned pursuant to §90.621(e)(2).

(j) On the Interoperability Channels in the 700 MHz Public Safety Band (*See* 90.531(b)(1)), hand-held and vehicular units operated by any licensee holding a license in the 700 MHz Public Safety Band or by any licensee for any public safety frequency pursuant to part 90 of the Commission's rules may communicate with or through land stations without further authorization and without a sharing agreement.

[48 FR 26620, June 9, 1983]

EDITORIAL NOTE: FOR FEDERAL REGISTER citations affecting §90.179, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov*.

§90.185 Multiple licensing of radio transmitting equipment in the mobile radio service.

Two or more persons eligible for licensing under this rule part may be licensed for the same land station under the following terms and conditions.

(a) Each licensee complies with the general operating requirements set out in §90.403 of the rules.

(b) Each licensee is eligible for the frequency(ies) on which the land station operates.

(c) If the multiple licensed base station is interconnected with the public switched telephone network, the provisions of §90.477 *et seq.* apply.

[48 FR 26621, June 9, 1983]

§90.187 Trunking in the bands between 150 and 512 MHz.

(a) Applicants for centralized and decentralized trunked systems operating on frequencies between 150 and 512 MHz (except 220–222 MHz) must indicate on their applications (radio service and class of station code, instructions for FCC Form 601) that their system will be trunked. Licensees of stations that are not trunked may trunk their systems only after modifying their license (see §1.927 of this chapter).

(b) Except as provided in paragraphs (c) and (d) of this section, trunked systems operating under this section must employ equipment that prevents transmission on a trunked frequency if a signal from another system is present on that frequency. The level of monitoring must be sufficient to avoid harmful interference to other systems.

(c) The monitoring requirement in paragraph (b) of this section does not apply to trunked systems operating in the 470–512 MHz band that meet the loading requirements of §90.313 and have exclusive use of their frequencies in their service area.

(d) The monitoring requirement in paragraph (b) of this section does not apply if the application is accompanied by written consent from all affected licensees.

(1) Affected licensees for the purposes of this section are licensees (and previously filed pending applicants) meeting both a spectral and a contour overlap as defined:

(i) *Spectral overlap.* Licensees (and filers of previously filed pending applications) with an assigned (or proposed) frequency having a spectral separation from a frequency of the proposed centralized trunked station that does not exceed these values:

Proposed station	Incumbent authorized bandwidth		
	25 kHz	12.5 kHz	6.25 kHz
25 kHz	15.0 kHz	15.0 kHz	15.0 kHz

Proposed station	Incumbent authorized bandwidth		
	25 kHz	12.5 kHz	6.25 kHz
12.5 kHz	15.0 kHz	7.5 kHz	7.5 kHz
6.25 kHz	15.0 kHz	7.5 kHz	5.0 kHz

The left column is the authorized bandwidth requested for the proposed trunked station. The second row is the authorized bandwidth of the incumbent. The other cells in the table show the frequency range above and below the frequency of the proposed centralized trunked station that must be considered.

(ii) *Contour overlap.* (A) Licensees (and filers of previously filed pending applications) with a service contour (37 dBu for stations in the 150–174 MHz band, and 39 dBu for stations in the 421–512 MHz band) that is overlapped by the proposed centralized trunked station’s interference contour (19 dBu for stations in the 150–174 MHz band, and 21 dBu for stations in the 421–512 MHz band). Contour calculations are required for base station facilities. Contour calculations are required for associated mobile stations only in the 150–174 MHz band, with the associated base station’s service contour used as both the mobile station’s service contour and its interference contour.

(B) The calculation of service and interference contours shall be performed using generally accepted engineering practices and standards, including appropriate derating factors, agreed to by a consensus of all certified frequency coordinators. Frequency coordinators shall make this information available to the Commission upon request.

(C) For purposes of this section, the authorized operating area of a station or proposed station with no associated base station shall be used as both the station’s service contour and its interference contour.

(D) After January 1, 2013, licensees with an authorized bandwidth exceeding 12.5 kHz will not be deemed affected licensees, unless the licensee meets the efficiency standard set forth in § 90.203(j)(3) or the licensee was granted a waiver of § 90.209(b).

(2) The written consent from an affected licensee shall state all terms agreed to by the parties and shall be signed by the parties. The written consent shall be maintained by the operator of the centralized trunked station and be made available to the Commission upon request. An application for a centralized trunked station shall include either a certification from the

applicant that written consent has been obtained from all affected licensees, or a certification from the frequency coordinator that there are no affected licensees.

(3) In addition, the service contour for proposed centralized trunked stations on Industrial/Business Pool frequencies shall not be overlapped by an incumbent licensee’s interference contour. An application filed for Public Safety Pool frequencies, see § 90.20, for a proposed centralized trunked station in which the service contour of the proposed station is overlapped by the interference contour of the incumbent station(s) is allowed, but the applicant must accept any resultant interference.

(e) The exclusive service area of a station that has been authorized for centralized trunked operation will be protected from proposed centralized trunked, decentralized trunked or conventional operations in accordance with the standards of paragraph (d) of this section.

(f) Trunking of systems licensed on paging-only channels or licensed in the Radiolocation Service (subpart F) is not permitted.

(g) *Channel limits.* (1) No more than 10 channels for new centralized trunked operation in the Industrial/Business Pool may be applied for at a single transmitter location or at locations with overlapping service contours as specified in paragraph (d) of this section. Subsequent applications for centralized trunked operation are limited to no more than an additional 10 channels, and must be accompanied by a certification, submitted to the certified frequency coordinator coordinating the application, that all of the applicant’s existing channels authorized for centralized trunked operation at that location or at locations with overlapping service contours have been constructed and placed in operation.

Certified frequency coordinators are authorized to require documentation in support of the applicant's certification that existing channels have been constructed and placed in operation.

(2) Applicants for Public Safety Pool channels may request more than 10 centralized trunked channels at a single location or at locations with overlapping service contours if accompanied by a showing of sufficient need. The requirement for such a showing may be satisfied by submission of loading studies demonstrating that requested channels in excess of 10 will be loaded with 50 mobiles per channel within a five year period commencing with the grant of the application.

(h) If a licensee authorized for centralized trunked operation discontinues trunked operation for a period of 30 consecutive days, the licensee, within 7 days thereafter, shall file a conforming application for modification of license with the Commission.

[78 FR 28754, May 16, 2013, as amended at 80 FR 18146, Apr. 3, 2015]

Subpart I—General Technical Standards

§ 90.201 Scope.

This subpart sets forth the general technical requirements for use of frequencies and equipment in the radio services governed by this part. Such requirements include standards for acceptability of equipment, frequency tolerance, modulation, emissions, power, and bandwidths. Special additional technical standards applicable to certain frequency bands and certain specialized uses are set forth in subparts J, K, N, and R.

[67 FR 76700, Dec. 13, 2002]

§ 90.203 Certification required.

(a) Except as specified in paragraphs (b) and (1) of this section, each transmitter utilized for operation under this part and each transmitter marketed as set forth in § 2.803 of this chapter must be of a type which has been certificated for use under this part.

(1) Effective October 16, 2002, except in the 1427–1432 MHz band, an equipment approval may no longer be obtained for in-hospital medical telem-

etry equipment operating under the provisions of this part. The requirements for obtaining an approval for medical telemetry equipment after this date are found in subpart H of part 95 of this chapter.

(2) Any manufacturer of radio transmitting equipment (including signal boosters) to be used in these services may request certification for such equipment following the procedures set forth in subpart J of part 2 of this chapter. Certification for an individual transmitter or signal booster also may be requested by an applicant for a station authorization by following the procedure set forth in part 2 of this chapter. Such equipment if approved will be individually enumerated on the station authorization.

(b) Certification is not required for the following:

(1) [Reserved]

(2) Transmitters used for police zone and interzone stations authorized as of January 1, 1965.

(3) Transmitting equipment used in the band 1427–1435 MHz.

(4) Transmitters used in radiolocation stations in accordance with subpart F authorized prior to January 1, 1974, for public safety and land transportation applications (old parts 89 and 93).

(5) Transmitters used in radiolocation stations in accordance with subpart F authorized for industrial applications (old part 91) prior to January 1, 1978.

(6) [Reserved]

(7) Transmitters imported and marketed prior to September 1, 1996 for use by LMS systems.

(c) Radiolocation transmitters for use in public safety and land transportation applications marketed prior to January 1, 1974, must meet the applicable technical standards in this part, pursuant to § 2.803 of this chapter.

(d) Radiolocation transmitters for use in public safety and land transportation applications marketed after January 1, 1974, must comply with the requirements of paragraph (a) of this section.

(e) Except as provided in paragraph (g) of this section, transmitters designed to operate above 25 MHz shall not be certificated for use under this