

Federal Communications Commission

§ 95.1791

(1) Filtering noted for GMRS transmitters refers to the requirement in § 95.1775(e).

(2) Unwanted emission power may be measured as either mean power or peak envelope power, provided that the transmitter output power is measured the same way.

(b) *Attenuation requirements.* The power of unwanted emissions must be attenuated below the transmitter output power in Watts (P) by at least:

(1) 25 dB (decibels) on any frequency removed from the center of the authorized bandwidth by more than 50% up to and including 100% of the authorized bandwidth.

(2) 35 dB on any frequency removed from the center of the authorized bandwidth by more than 100% up to and including 250% of the authorized bandwidth.

(3) $83 \log (f_d + 5)$ dB on any frequency removed from the center of the authorized bandwidth by a displacement frequency (f_d in kHz) of more than 5 kHz up to and including 10 kHz.

(4) $116 \log (f_d + 6.1)$ dB or $50 + 10 \log (P)$ dB, whichever is the lesser attenuation, on any frequency removed from the center of the authorized bandwidth by a displacement frequency (f_d in kHz), of more than 10 kHz up to and including 250% of the authorized bandwidth.

(5) 25 dB on any frequency removed from the center of the authorized bandwidth by more than 50% up to and including 150% of the authorized bandwidth.

(6) 35 dB on any frequency removed from the center of the authorized bandwidth by more than 150% up to and including 250% of the authorized bandwidth.

(7) $43 + 10 \log (P)$ dB on any frequency removed from the center of the authorized bandwidth by more than 250%.

(c) *Measurement bandwidths.* The power of unwanted emissions in the frequency bands specified in paragraphs (b)(1) through (4) of this section is measured with a reference bandwidth of 300 Hz. The power of unwanted emissions in the frequency range specified in paragraph (b)(5) of this section is measured with a reference bandwidth of at least 30 kHz.

(d) *Measurement conditions.* The requirements in this section apply to each GMRS transmitter type both with and without the connection of permitted attachments, such as an external speaker, microphone, power cord and/or antenna.

§§ 95.1781–95.1785 [Reserved]

§ 95.1787 GMRS additional requirements.

Each hand-held portable unit transmitter type submitted for certification under this subpart is subject to the rules in this section.

(a) *Digital data transmissions.* GMRS hand-held portable units that have the capability to transmit digital data must be designed to meet the following requirements.

(1) Digital data transmissions must only be initiated by a manual action by the operator, except that GMRS units may automatically respond with location data upon receiving an interrogation request from another GMRS or FRS unit.

(2) Digital data transmissions must not exceed one second in duration.

(3) Digital data transmissions must not be sent more frequently than one digital data transmission within a thirty-second period, except that a GMRS unit may automatically respond to more than one interrogation request received within a thirty-second period.

(4) The antenna must be a non-removable integral part of the GMRS unit.

(5) GMRS units must not be capable of transmitting digital data on the 467 MHz main channels.

(b) [Reserved]

§ 95.1789 [Reserved]

§ 95.1791 Sales of GMRS/FRS combination radios prohibited.

(a) Effective September 30, 2019, no person shall be permitted to manufacture or import, sell or offer for sale any radio equipment capable of operating under both this subpart (GMRS) and subpart B (FRS) of this chapter.

§§ 95.1793–95.1899 [Reserved]

Subpart F—218–219 MHz Service

§ 95.1901 Scope.

This subpart sets out the regulations governing the licensing and operation of a 218–219 MHz system. This subpart supplements part 1, subpart F of this chapter, which establishes the requirements and conditions under which commercial and private radio stations may be licensed and used in the Wireless Telecommunications Services. The provisions of this subpart contain additional pertinent information for current and prospective licensees specific to the 218–219 MHz Service.

§ 95.1903 218–219 MHz Service description.

(a) The 218–219 MHz Service is authorized for system licensees to provide communication service to subscribers in a specific service area.

(b) The components of each 218–219 MHz Service system are its administrative apparatus, its response transmitter units (RTUs), and one or more cell transmitter stations (CTSs). RTUs may be used in any location within the service area. CTSs provide service from a fixed point, and certain CTSs must be individually licensed as part of a 218–219 MHz Service system. *See* § 95.1911.

(c) Each 218–219 MHz Service system service area is one of the cellular system service areas as defined by the Commission, unless modified pursuant to § 95.1923.

§ 95.1905 Permissible communications.

A 218–219 MHz Service system may provide any fixed or mobile communications service to subscribers within its service area on its assigned spectrum, consistent with the Commission's rules and the regulatory status of the system to provide services on a common carrier or private basis.

§ 95.1907 Requesting regulatory status.

(a) Authorizations for systems in the 218–219 MHz Service will be granted to provide services on a common carrier basis or a private (non-common carrier and/or private internal-use) basis.

(1) *Initial applications.* An applicant will specify on FCC Form 601 if it is re-

questing authorizations to provide services on a common carrier, non-common carrier or private internal-use basis, or a combination thereof.

(2) *Amendment of pending applications.* Any pending application may be amended to:

(i) Change the carrier status requested; or

(ii) Add to the pending request in order to obtain both common carrier and private status in a single license.

(3) *Modification of license.* A licensee may modify a license to:

(i) Change the carrier status authorized; or

(ii) Add to the status authorized in order to obtain both common carrier and private status in a single license. Applications to change, or add to, carrier status in a license must be submitted on FCC Form 601 in accordance with § 1.1102 of this chapter.

(4) *Pre-existing licenses.* Licenses granted before April 9, 2001 are authorized to provide services on a private (non-common carrier) basis. Licensees may modify this initial status pursuant to paragraph (a)(3) of this section.

(b) An applicant or licensee may submit a petition at any time requesting clarification of the regulatory status required to provide a specific communications service.

§ 95.1911 License requirements.

(a) Each 218–219 MHz Service system must be licensed in accordance with part 1, subpart F of this chapter.

(b) Each CTS where the antenna does not exceed 6.1 meters (20 feet) above ground or an existing structure (other than an antenna structure) and is outside the vicinity of certain receiving locations (*see* § 1.924 of this chapter) is authorized under the 218–219 MHz System license. All other CTSs must be individually licensed.

(c) All CTSs not meeting the licensing criteria under paragraph (b) of this section are authorized under the 218–219 MHz Service system license.

(d) Each component RTU in a 218–219 MHz Service system is authorized under the system license or, if associated with an individually licensed CTS, under that CTS license.

(e) Each CTS (regardless of whether it is individually licensed) and each