

**Federal Communications Commission**

**§ 95.3189**

(a) *Priority communications.* OBU communications described in this paragraph are priority communications.

(1) OBU communications involving the safety of life have access priority over all other OBU communications.

(2) Subject to a Control Channel priority system management strategy (see ASTM E2213-03 DSRC Standard at §4.1.1.2(4)), OBU communications involving public safety have access priority over all other OBU communications except those involving safety of life. OBUs operated by state or local governmental entities are presumed to be engaged in public safety (priority) communications.

(b) *Non-priority communications.* All OBU communications other than those described in paragraph (a) are non-priority communications. Disputes concerning non-priority OBU communications associated with Roadside Units (RSUs) are governed by the provisions of §90.377(e) and (f) of this chapter. Disputes concerning non-priority OBU communications not associated with RSUs are governed by §§95.325, 95.327, and 95.359.

**§ 95.3161 OBU transmitter certification.**

(a) Each Dedicated Short Range Communications On-Board Unit (DSRCs-OBU) that operates or is intended to operate in the DSRCs must be certified in accordance with this subpart and subpart J of part 2 of this chapter.

(b) A grant of equipment certification for this subpart will not be issued for any OBU transmitter type that fails to comply with all of the applicable rules in this subpart.

**§ 95.3163 OBU channels.**

The following table lists the channels allotted for use by On-Board Units (OBUs):

Channel No.	Channel use	Frequency range (MHz)
170 .....	Reserved .....	5850-5855
172 .....	Service .....	5855-5865
174 .....	Service .....	5865-5875
175 .....	Service .....	5865-5885
176 .....	Service .....	5875-5885
178 .....	Control .....	5885-5895
180 .....	Service .....	5895-5905
181 .....	Service .....	5895-5915
182 .....	Service .....	5905-5915

Channel No.	Channel use	Frequency range (MHz)
184 .....	Service .....	5915-5925

(a) Channels 174 and 176 may be combined to create a 20 MHz bandwidth channel designated as Channel 175.

(b) Channels 180 and 182 may be combined to create a 20 MHz bandwidth channel designated as Channel 181.

(c) Channels 172 and 184 are designated for public safety applications involving safety of life and property.

**§ 95.3165 [Reserved]**

**§ 95.3167 OBU transmit power limit.**

The maximum output power for portable On-Board Unit transmitter types is 1.0 mW. For purposes of this paragraph, a portable is a transmitting device designed to be used so that the radiating structure(s) of the device is/are within 20 centimeters of the body of the user.

**§§ 95.3169-95.3187 [Reserved]**

**§ 95.3189 OBU technical standard.**

On-Board Unit transmitter types operating in the 5850-5925 MHz band must be designed to comply with the technical standard ASTM E2213-03, Standard Specification for Telecommunications and Information Exchange Between Roadside and Vehicle Systems—5 GHz Band Dedicated Short-range Communications (DSRC) Medium Access Control (MAC) and Physical Layer (PHY) Specifications published 2003 (ASTM E2213-03). ASTM E2213-03 is incorporated by reference into this section with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the Federal Communications Commission must publish a document in the FEDERAL REGISTER and the material must be available to the public. The material is available for inspection at the Federal Communications Commission, 445 12th Street SW., Washington, DC 20554 and may be obtained from ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428-2959.: <http://www.astm.org>. It is also available for inspection at the National Archives