

**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

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and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030 or go to <http://www.archives.gov/federal-register/code-of-federal-regulations/ibr-locations.html>.

**Subpart M—The 76–81 GHz Band Radar Service**

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ADMINISTRATIVE RULES

§ 95.3301 **Scope.**

This subpart sets out the regulations that apply to radar systems operating in the 76–81 GHz band. This subpart does not apply to Level Probing Radars that operate under part 15 of this title.

§ 95.3303 **Definitions, the 76–81 GHz Band Radar Service.**

- (a) *Air operations area.* See § 87.5 of this chapter.
- (b) *Field disturbance sensor.* See § 15.5(l) of this chapter.
- (c) *Foreign object debris (FOD) detection radar.* A radar device designed to detect foreign object debris in airport air operations areas and to monitor aircraft as well as service vehicles on taxiways, and other airport vehicle service areas that have no public vehicle access.
- (d) *Radar.* See § 2.1(c) of this chapter.

§ 95.3305 **Radar operator eligibility in the 76–81 GHz Band.**

Subject to the requirements of §§ 95.305 and 95.307, any person is eligible to operate a radar in the 76–81 GHz band without an individual license; such operation must comply with all applicable rules in this subpart.

OPERATING RULES

§ 95.3331 **Permissible 76–81 GHz Band Radar Service uses.**

Radar systems operating in the 76–81 GHz band may operate as vehicular radars, or as fixed or mobile radars in airport air operations areas, including but not limited to FOD detection radars and aircraft-mounted radars for ground use only.

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§ 95.3333 **Airborne use of 76–81 GHz Band Radar Service is prohibited.**

Notwithstanding the provisions of § 95.3331, 76–81 GHz Band Radar Service is prohibited aboard aircraft in flight. Aircraft-mounted radars shall be equipped with a mechanism that will prevent operations once the aircraft becomes airborne.

§ 95.3347 **76–81 GHz Band Radar Service automatic control.**

Notwithstanding the provisions of § 95.347, 76–81 GHz Band Radar Service operations may be conducted under manual or automatic control.

TECHNICAL RULES

§ 95.3361 **Certification.**

Radar equipment operating in the 76–81 GHz band shall be certificated in accordance with this subpart and subpart J of part 2 of this chapter.

§ 95.3367 **76–81 GHz Band Radar Service radiated power limits.**

The fundamental radiated emission limits within the 76–81 GHz band are expressed in terms of Equivalent Isotropically Radiated Power (EIRP) and are as follows:

- (a) The maximum power (EIRP) within the 76–81 GHz band shall not exceed 50 dBm based on measurements employing a power averaging detector with a 1 MHz Resolution Bandwidth (RBW).
- (b) The maximum peak power (EIRP) within the 76–81 GHz band shall not exceed 55 dBm based on measurements employing a peak detector with a 1 MHz RBW.

§ 95.3379 **76–81 GHz Band Radar Service unwanted emissions limits.**

- (a) The power density of any emissions outside the 76–81 GHz band shall consist solely of spurious emissions and shall not exceed the following:
  - (1) Radiated emissions below 40 GHz shall not exceed the field strength as shown in the following emissions table.

Frequency (MHz)	Field strength (microvolts/meter)	Measurement distance (meters)
0.009–0.490 .....	2400/F(kHz)	300
0.490–1.705 .....	24000/F(kHz)	30
1.705–30.0 .....	30	30