

§ 95.353

§ 95.353 False distress signals.

No person shall transmit or cause to be transmitted by a Personal Radio Services station any false or fraudulent signals of distress, or communication relating thereto. *See* section 325(a) of the Communications Act (47 U.S.C. 325(a)).

§ 95.355 [Reserved]

§ 95.357 Duration of transmissions.

Except as otherwise provided, the operator of a Personal Radio Services station must generally limit transmissions to the minimum duration necessary. *See e.g.*, § 95.2357. Some Personal Radio Services have specific duration limits, which are set forth in the subparts governing those services. *See e.g.*, § 95.957.

§ 95.359 Sharing of channels.

Unless otherwise provided in the subparts governing the individual services, all channels designated for use in the Personal Radio Services are available for use on a shared basis, and are not assigned by the FCC for the exclusive use of any person or station. Operators of Personal Radio Service stations must cooperate in the selection and use of channels in order to avoid interference and make efficient use of these shared channels.

§ 95.361 Transmitter Certification.

(a) Unless otherwise provided in the subpart governing that service or in other parts of this chapter, each transmitter that operates or is intended to operate in a service of the Personal Radio Service must be certified in accordance with the governing subpart and part 2 of this Chapter.

(b) A copy of the instruction manual specified in § 95.393 must be forwarded to the FCC with each request for certification of the relevant transmitter. If a final copy of that manual is not available when the certification application is submitted, the applicant may include with its application a draft or preliminary copy provided it forwards a final copy to the FCC when such a copy becomes available.

(c) Equipment certification will not be issued for transmitter types where any control, switch or other type of ad-

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justment—which, when manipulated, can result in a violation of the rules—is accessible to the user.

§ 95.363 Channels available for use.

Operators of Personal Radio Stations may transmit only on the channels or frequency bands designated for the specific Personal Radio Service being used, as listed in the individual subpart governing that service. Transmissions on any channel or frequency not designated for the service being used constitutes a violation of section 301 of the Communications Act (47 U.S.C. 301).

§ 95.365 [Reserved]

§ 95.367 Transmitting power.

For transmission of emergency messages, where operators of Personal Radio Services stations have the ability to select transmitting power levels, the highest transmitting power available may be used. In all other circumstances, the minimum amount of transmitting power necessary to carry out the desired communications must be used. *See* section 324 of the Communications Act (47 U.S.C. 324).

§ 95.369 [Reserved]

§ 95.371 Emission types.

In general, Personal Radio Services stations may transmit any emission type that is appropriate for the permissible uses of the specific service, provided that it does not exceed the authorized bandwidth for that service and is in full compliance with the modulation limits (if any) and unwanted emission limits for the specific service.

(a) *Exceptions.* In some of the Personal Radio Services, stations may transmit only certain specific emission types. Any such limits are set forth in the emission types rule in the subpart governing that service. *See e.g.*, §§ 95.971 and 95.2971.

(b) *Emission type designators.* Emission type designators are defined in § 2.201 of this chapter. Designators for emissions commonly used in the Personal Radio Services are as follows:

Description	Designator
Voice, AM	A3E
Voice, SSB	J3E
Voice, FM	F3E

Description	Designator
Voice, PM	G3E
Data, FSK	F1D
Data, AFSK	F2D
Data, PSK	G1D
Test, no modulation	N0N

§ 95.377 Tones and signals.

Personal Radio Service stations that transmit voice emissions may also transmit audible or subaudible tones or other signals for the purpose of selective calling and/or receiver squelch activation. These tones and signals are ancillary to voice communications and are considered to be included within the voice emission types, *e.g.*, A3E, F3E, and G3E.

(a) Tones that are audible (having a frequency higher than 300 Hertz), must last no longer than 15 seconds at one time.

(b) Tones that are subaudible (having a frequency of 300 Hertz or less), may be transmitted continuously during a communication session.

§ 95.381 Voice obscuring features.

A grant of equipment certification will not be issued for any transmitter type that incorporates one or more voice scrambling or other obscuring features for any of the Personal Radio Services that provide for voice (telephony) communications on shared channels (*see* § 95.359), if the application for such grant is filed on or after December 27, 2017.

§ 95.385 RF exposure evaluation.

(a) Personal Radio Services devices are subject to the radio frequency radiation exposure requirements specified in §§ 1.1307(b), 2.1091 and 2.1093 of this chapter, as appropriate.

(b) FCC certification (*see* § 95.335) of transmitter types that are “portable devices,” as defined in § 2.1093(b) of this chapter, and are designed to operate in certain Personal Radio Services, is subject to rules requiring radiofrequency radiation exposure routine evaluation pursuant to §§ 1.1307(b) and 2.1093 of this chapter. *See* §§ 95.2385 and 95.2585.

§ 95.391 Manufacturing, importation, and sales of non-certified equipment prohibited.

No person shall manufacture, import, sell or offer for sale non-certified equipment for the Personal Radio Services. *See* § 302(b) of the Communications Act (47 U.S.C. 302a(b)). *See also* part 2, subpart I (§ 2.801 *et. seq.*) of this chapter for rules governing marketing of radio-frequency devices.

(a) *Revoked or withdrawn certification.* In the event that the FCC revokes or withdraws a grant of equipment certification for a type of Personal Radio Service transmitter, the FCC will provide specific instructions and dates for cessation of manufacturing, importation and sales of the affected equipment.

(b) *External radio frequency power amplifiers.* No person shall manufacture, import, sell or offer for sale any external radio frequency power amplifier that is capable of operation on any frequency below 144 MHz and is intended for use in the Personal Radio Services. *See also* § 2.815 of this chapter.

(c) *Voice obscuring radios.* Effective September 30, 2019, no person shall manufacture, or import, sell or offer for sale any radio that incorporates one or more voice scrambling or other obscuring features where such radio is intended for use in any of the Personal Radio Services that provide for voice (telephony) communications on shared channels (*see* § 95.359) regardless of whether the Commission has previously certified that radio.

§ 95.393 Instructions and warnings.

(a) A user’s instruction manual must be supplied with each transmitter that can be used in a Personal Radio Service.

(b) The manual described in paragraph (a) of this section must contain all information necessary for the proper installation and operation of the transmitter including:

(1) Instructions concerning all controls, adjustments and switches that may be operated or adjusted without resulting in a violation of FCC rules;

(2) Warnings concerning any adjustment that could result in a violation of FCC rules or that is recommended to