

sending it, together with the filing fee, to the address specified in the Private Radio Services Fee Filing Guide (unless the licensee is a governmental entity, in which case the renewal application should be sent to the Federal Communications Commission, 1270 Fairfield Road, Gettysburg, PA 17325-7245).

(b) If the renewal application is sent to the FCC before the existing license term expires, the renewal application is timely filed. Except for GMRS systems whose licenses may not be renewed (see §95.89 (c)(3) and (d)), stations in a GMRS system whose application is timely filed may continue to transmit under the expired license until the FCC acts on the renewal application. A copy of the renewal application sent to the FCC must be kept in the GMRS system records (see §95.113) until the renewed license, or notification of other FCC action, is received.

(c) A GMRS system licensed to a non-individual before July 31, 1987, is eligible to renew that license and all subsequent licenses based upon it if:

- (1) The non-individual is:
 - (i) A partnership, and each partner is 18 years of age or older;
 - (ii) A corporation;
 - (iii) An association;
 - (iv) A state, territorial or local government unit; or
 - (v) Other legal entity;
- (2) The non-individual is not:
 - (i) A foreign government;
 - (ii) A representative of a foreign government; or
 - (iii) A federal government agency; and
- (3) The licensee has not been granted any of the modifications to its GMRS system license specified in §95.71(e).

(d) A GMRS system licensed to a non-individual on or after July 31, 1987, may not be renewed.

(e) If a GMRS system license is allowed to expire, the former licensee may file an application to reinstate the expired license within six months after the expiration date. The application to reinstate must be accompanied by a renewal application. An expired GMRS system license for which a timely renewal application has not been filed is not valid. No station of such a GMRS system may transmit until the licensee has received a new GMRS system li-

cence based on the late-filed renewal application.

[53 FR 47716, Nov. 25, 1988, as amended at 55 FR 51909, Dec. 18, 1990]

MANAGING A GMRS SYSTEM

§95.101 What the license authorizes.

(a) A license authorizes the licensee to manage the GMRS system only as:

- (1) The Rules require;
- (2) The license specifies;
- (3) Proposed by the entity in the license application; and
- (4) Shown on the functional system diagram (where applicable).

(b) The license does not authorize operation as a common carrier or communication of messages for pay.

(c) If the licensee is a corporation and the license so indicates, it may use its GMRS system to furnish non-profit radio communication service to its parent corporation, to another subsidiary of the same parent, or to its own subsidiary. Such use is not subject to the cooperative use provisions of §95.33.

§95.103 Licensee duties.

(a) The licensee is responsible for the proper operation of the GMRS system at all times.

(b) The licensee must have access to the station equipment and be able to disable it. A licensee using multiple licensed transmitting equipment may satisfy this requirement by entering an arrangement with other licensees using the same equipment to select one of their number to have primary access responsibility.

(c) When the information about the licensee stated on the license changes, the licensee must take the following step(s):

- (1) The licensee must notify the FCC in writing in the event of a name or mailing address change (see §95.117(b)). The notice must show the name and mailing address as they appear on the license, the station call sign(s), and the new name or new mailing address. A copy of the notice must be kept as part of the GMRS system records (see §95.113). (FCC Forms 405-A or 574-R may be used for this purpose.)

- (2) If the status of a non-individual GMRS system licensee changes (for example, when a corporation is dissolved