

### § 95.31

(1) The communications must be for the purpose of soliciting or rendering assistance to a traveler, or for communicating in an emergency pertaining to the immediate safety of life or the immediate protection of property; and

(2) The frequency 467.675 MHz may be used only for the purposes of accessing and communicating through a mobile relay station transmitting on 462.675 MHz.

(f) Except for a GMRS system licensed to a non-individual, a mobile station or a small base station operating in the simplex mode may transmit on the following 462 MHz interstitial channels:

462.5625, 462.5875, 462.6125, 462.6375, 462.6625, 462.6875 and 462.7125.

These channels may be used only under the following conditions:

(1) Only voice type emissions may be transmitted;

(2) The station does not transmit one-way pages; and

(3) The station transmits with no more than 5 watts ERP.

(g) Fixed stations in GMRS systems authorized before March 18, 1968, located 160 kilometers (100 miles) or more from the geographic center of urbanized areas of 200,000 or more population as defined in the U.S. Census of Population, 1960, Vol. 1, Table 23, page 50 that were authorized to transmit on channels other than those listed in this section may continue to transmit on their originally assigned channels provided that they cause no interference to the operation of stations in any of the part 90 private land mobile radio services.

[53 FR 47715, Nov. 25, 1988]

### § 95.31 Overlap of GMRS systems.

An entity may not have a base station or a mobile relay station for that entity's GMRS system within 64.4 kilometers (40 miles) of a base station or a mobile relay station for another GMRS system licensed to the same entity. Base stations and mobile relay stations licensed to the same entity in two different GMRS systems less than 64.4 kilometers (40 miles) apart which were authorized prior to October 16, 1983 are

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not subject to the provisions of this rule.

[48 FR 35237, Aug. 3, 1983, as amended at 49 FR 4003, Feb. 1, 1984]

### § 95.33 Cooperative use of radio stations in the GMRS.

(a) *Licensees* (a licensee is the entity to which the license is issued) of radio stations in the GMRS may share the use of their stations with other entities eligible in the GMRS, subject to the following conditions and limitations.

(1) The station to be shared must be individually owned by the licensee, jointly owned by the participants and the licensee, leased individually by the licensee, or leased jointly by the participants and the licensee.

(2) The licensee must maintain access to and control over all stations authorized under its license.

(3) A station may be shared only:

(i) Without charge;

(ii) On a non-profit basis, with contributions to capital and operating expenses including the cost of mobile stations and paging receivers prorated equitably among all participants; or

(iii) On a reciprocal basis, i.e., use of one licensee's stations for the use of another licensee's stations without charge for either capital or operating expenses.

(4) All sharing arrangements must be conducted in accordance with a written agreement to be kept as part of the station records.

(b) Participants in a cooperatively shared GMRS mobile relay or base station may obtain a license for their own mobile station(s), provided that the licensee of the shared GMRS station consents in writing to the issuance of such authorization.

### § 95.35 Multiple licensing of radio transmitting equipment in the GMRS.

Two or more persons licensed in the GMRS may use the same transmitting equipment under the following terms and conditions:

(a) Each licensee complies with the general operating requirements set out in §§ 95.171 through 95.181 of the rules; and

(b) Each licensee must have access to the transmitter for which the licensee is authorized.

**§95.37 Considerations near the Canadian border.**

The United States and the Government of Canada coordinate channel assignments to certain radio stations in areas along their common borders north of Line A and east of Line C. (See §1.955 of the FCC Rules.)

**§95.39 Considerations near FCC monitoring facilities.**

The FCC may impose additional restrictions on a land station in a GMRS system if it is at a point within 4.8 kilometers (3 miles) of an FCC monitoring facility and the station's transmissions degrade, obstruct, or repeatedly interrupt the operation of the equipment at the FCC monitoring facility. Before applying for license to put a land station at such a point, or before applying to change anything in a station already licensed for such a point, you should consult the FCC by writing to the Chief, Compliance and Information Bureau, Federal Communications Commission, Washington, DC 20554.

[53 FR 47715, Nov. 25, 1988, as amended at 60 FR 50123, Sept. 28, 1995; 61 FR 8478, Mar. 5, 1996]

**§95.41 Considerations in the National Radio Quiet Zone.**

(a) The FCC may impose additional restrictions on a land station in a proposed GMRS system, or on one in a GMRS system proposed for modification, if the station is proposed for or located at a point within the *National Radio Quiet Zone* (an area within the States of Maryland, Virginia and West Virginia). The Zone is the area bounded by:

- (1) 39°15' N. on the North;
- (2) 78°30' W. on the East;
- (3) 37°30' N. on the South; and
- (4) 80°30' W. on the West.

(b) When applying for a license to put a land station at a point in the National Radio Quiet Zone, or when applying to change certain details in a station already licensed for such a point, the applicant must send a notice to the National Radio Astronomy Observatory (see §95.79).

(c) Restrictions may be imposed if the National Radio Astronomy Observatory files an objection with the FCC within 20 days after the application is filed with the FCC.

**§95.43 Environmental considerations.**

An application for AMRS system that includes a local station which may have a significant impact upon the environment, as specified in §1.1307 of this chapter, must be accompanied by an environmental assessment as set forth in §1.1311 of this chapter.

[55 FR 20398, May 16, 1990]

**§95.45 Considerations on Department of Defense land.**

The Department of Defense may impose additional restrictions on a station transmitting on its land. (Before applying to place or modify a station at such a point, an applicant should consult with the commanding officer in charge of the land.)

**§95.47 Considerations in large urban areas.**

(a) No fixed station may be at any point within a large urban area.

(b) A control station at a point within a large urban area must have:

- (1) A directional antenna (at least 15 decibel front-to-back ratio); and
- (2) No more transmitter power than determined by a *control station power test* (a test to determine the appropriate transmitter power (see appendix A)).

(c) Where these rules use the term *large urban area*, it means a circular region extending out 121 kilometers (75 miles) in all directions around the geographic center of certain cities.

(d) The large urban areas and their geographic centers are shown in appendix B.

(e) Control stations and fixed stations authorized before October 16, 1983 located beyond 121 kilometers (75 miles) of the geographic center of urbanized areas of 200,000 or more population as defined in the U.S. Census of Population, 1960, Vol. 1, table 23, page 50, are not subject to the restrictions of this rule section.