

must obtain a *license* (a written authorization from the FCC for a GMRS system).

[53 FR 47714, Nov. 25, 1988]

§ 95.5 License eligibility.

An *individual* (one man or one woman) is eligible to obtain, renew and have modified a GMRS system license if that individual is 18 years of age or older and is not a representative of a foreign government. A *non-individual* (an entity other than an individual) is ineligible to obtain a new GMRS system license or to make a major modification to an existing GMRS system license (see § 95.71(e)). Certain non-individuals are eligible to renew existing GMRS system license (see § 95.89 (c) and (d)).

[53 FR 47714, Nov. 25, 1988; 53 FR 51625, Dec. 22, 1988]

§ 95.7 Channel sharing.

(a) Channels or channel pairs are available to GMRS systems only on a shared basis and will not be assigned for the exclusive use of any licensee. All station operators and GMRS system licensees must cooperate in the selection and use of channels to reduce interference and to make the most effective use of the facilities.

(b) Licensees of GMRS systems suffering or causing harmful interference are expected to cooperate and resolve this problem by mutually satisfactory arrangements. If the licensees are unable to do so, the FCC may impose restrictions including specifying the transmitter power, antenna height, or area or hours of operation of the stations concerned. Further, the use of any frequency at a given geographical location may be denied when, in the judgment of the FCC, its use in that location is not in the public interest; the use of any channel or channel pair may be restricted as to specified geographical areas, maximum power, or other operating conditions (see § 95.71(d)).

[48 FR 35237, Aug. 3, 1983, as amended at 53 FR 47715, Nov. 25, 1988]

CONSIDERATIONS WHEN PLANNING A GMRS SYSTEM

§ 95.21 GMRS system description.

(a) A *GMRS system* is one or more transmitting units used by station operators to communicate messages. A GMRS system is comprised of:

- (1) One or more station operators;
- (2) One mobile station consisting of one or more mobile units (see § 95.23);
- (3) One or more land stations (optional); and
- (4) Paging receivers (optional).

(b) In certain areas, point-to-point GMRS systems may be comprised of fixed stations only (see §§ 95.47, 95.49 and 95.61).

(c) A GMRS system may be operated in:

- (1) *Simplex mode*. (Only one station operator can speak at a time.)
- (2) *Duplex mode*. (Two station operators can speak at the same time. One or more stations transmit on one channel. The other station(s) transmit(s) on the channel pair counterpart.)
- (3) A *combined simplex-duplex mode*. (E.g., a mobile relay system with mobile units operating in simplex mode on a channel pair.)

§ 95.23 Mobile station description.

(a) A *mobile station* is one or more units which transmit while moving or during temporary stops at unspecified points.

(b) A mobile station unit may transmit from any point within or over any areas where radio services are regulated by the FCC *except* where additional considerations apply (see §§ 95.37 through 95.49).

(c) A mobile station unit may transmit from an aircraft or ship, with the captain's permission, which is:

- (1) Within or over any area where radio services are regulated by the FCC *except* where additional restrictions apply; and
- (2) On or over international waters, if the unit is transmitting from an aircraft or ship of United States registry.

(d) A mobile station unit must not transmit from points within or over the territorial limits of any area where radio services are regulated only by:

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- (1) A foreign government; or
- (2) A United States government agency other than the FCC.

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

§ 95.25 Land station description.

(a) A *land station* is a unit which transmits only from:

(1) An exact point as shown on the license; or

(2) An unspecified point within an *operating area* (an area within a circle centered on a point chosen by the applicant) as shown on the license, for a *temporary period* (one year or less).

(b) The point from which every land station transmits must be within an area where radio services are regulated by the FCC.

(c) Each land station is classified according to its *communications points* (the other stations or paging receivers to which the station operator communicates messages). There are four *land station classes*:

- (1) Base station (see § 95.55);
- (2) Mobile relay station (see § 95.57);
- (3) Control station (see § 95.59); and
- (4) Fixed station (see § 95.61).

(d) A *small control station* is any control station which:

(1) Has an antenna no more than 6.1 meters (20 feet) above the ground or above the building or tree on which it is mounted (see § 95.51); and

(2) *Is*: (i) South of Line A or west of Line C (see § 95.37); or

(ii) North of Line A or east of Line C, and the station transmits with no more than 5 watts *ERP* (effective radiated power).

(e) A *small base station* is any base station that:

(1) Has an antenna no more than 6.1 meters (20 feet) above the ground or above the building or tree on which it is mounted (see § 95.51); and

(2) Transmits with no more than 5 watts *ERP*.

(f) A land station may be licensed to transmit as more than one station class. (*Example*: A land station is licensed as both a base station and a control station. When it is transmitting as a base station its communication points are those of a base station (see § 95.55). When it is transmitting as a control station its communication

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points are those of a control station (see § 95.59).)

[48 FR 35237, Aug. 3, 1983, as amended at 53 FR 47715, Nov. 25, 1988; 53 FR 51625, Dec. 22, 1988]

§ 95.27 Paging receiver description.

A *paging receiver* is a unit capable of receiving the radio signals from a base station for the bearer to hear a *page* (someone's name or other identifier said in order to find, summon or notify him/her) spoken by the base station operator.

§ 95.29 Channels available.

(a) The licensee of the GMRS system must select the transmitting channel or channel pair for the stations in the GMRS system from the following lists:

(1) For a base station, mobile relay station, fixed station or mobile station, the following 462 *MHz* (megahertz) channels:

462.5500, 462.5750, 462.6000, 462.6250, 462.6500, 462.6750, 462.7000 and 462.7250.

(2) For a mobile station, control station or fixed station operated in the duplex mode, the following 467 *MHz* channels:

467.5500, 467.5750, 467.6000, 467.6250, 467.6500, 467.6750, 467.7000, and 467.7250.

(3) As of December 31, 1993, the 467 *MHz* channels may be used only to transmit communications through a mobile relay station and for remotely controlling a mobile relay station. As of December 31, 1993, no station in a GMRS system may transmit communications *directly* (not through a mobile relay station) on the 467 *MHz* channels.

(b) The FCC will normally assign only one channel or one *channel pair* (one 462 *MHz* channel and its counterpart 5 *MHz* spaced 467 *MHz* channel) to a GMRS system comprised of stations intended for operation in the simplex mode. A second channel or channel pair will be assigned at the request of the applicant.

(c) The FCC will normally assign only one channel pair to a GMRS system comprised of stations intended for operation in the duplex mode. A second channel pair will be assigned at the request of the applicant.