

(d) No GMRS system may be assigned more than two channels or channel pairs. Stations in certain GMRS systems may, however, also transmit on additional frequencies listed in the following paragraphs, in accord with the conditions specified.

(e) Mobile stations in a GMRS system licensed to an individual that is not specifically authorized for the 462.675 MHz/467.675 MHz channel pair may transmit on that channel pair with the following limitations:

(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 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) *Licenses* (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.