

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: