

such units, together with units operated by the licensee, exceeds the number of mobile units authorized to the licensee, license modification is required. The licensee is responsible for taking necessary precautions to prevent unauthorized operation of such units not under its control.

(a) *Public Safety Pool.* (1) Mobile units licensed in the Public Safety Pool may be installed in any vehicle which in an emergency would require cooperation and coordination with the licensee, and in any vehicle used in the performance, under contract, of official activities of the licensee. This provision does not permit the installation of radio units in non-emergency vehicles that are not performing governmental functions under contract but with which the licensee might wish to communicate.

(2) Mobile units licensed under § 90.20(a)(2)(iii) may be installed in a vehicle or be hand-carried for use by any person with whom cooperation or coordinations is required for medical services activities.

(3) On the Interoperability Channels in the 700 MHz Public Safety Band (*See* § 90.531(b)(1)), hand-held and vehicular transmitters may be operated by any licensee holding a license in the 700 MHz Public Safety Band or by any licensee holding a license for any other public safety frequency pursuant to part 90 of the Commission's rules. Therefore, individual licenses are not required for hand-held and vehicular transmitters in the 700 MHz Band.

(b) *Industrial/Business Pool.* Mobile units licensed in the Industrial/Business Pool may be installed in vehicles of persons furnishing under contract to the licensee and for the duration of the contract, a facility or service directly related to the activities of the licensee.

(c) In addition to the requirements in paragraphs (a) and (b) of this section, frequencies assigned to licensees in the Private Land Mobile Radio Services may be installed in the facilities of those who assist the licensee in emergencies and with whom the licensee must communicate in situations involving imminent safety to life or property.

[65 FR 60877, Oct. 13, 2000, as amended at 66 FR 10635, Feb. 16, 2001]

§ 90.423 Operation on board aircraft.

(a) Except as provided in paragraphs (b), (c), and (d) of this section, and except as may be provided in other sections of this part with respect to operation on specific frequencies, mobile stations first authorized after September 14, 1973, under this part may be operated aboard aircraft for air-to-mobile, air-to-base, air-to-air and air-to-ship communications subject to the following:

(1) Operations are limited to aircraft that are regularly flown at altitudes below 1.6 km (1 mi) above the earth's surface;

(2) Transmitters are to operate with an output power not to exceed ten watts;

(3) Operations are secondary to land-based systems;

(4) Such other conditions, including additional reductions of altitude and power limitations, as may be required to minimize the interference potential to land-based systems.

(b) Exceptions to the altitude and power limitations set forth in paragraph (a) of this section may be authorized upon a showing of unusual operational requirements which justify departure from those standards, provided that the interference potential to regular land-based operations would not be increased.

(c) Mobile operations aboard aircraft in the services governed by this part, under licenses in effect September 14, 1973, may be continued without regard to provisions of paragraph (a) of this section, as follows:

(1) Operations may be continued only for the balance of the term of such licenses if aircraft involved are regularly flown at altitudes greater than 1.6 km (1 mi) above the earth's surface.

(2) Operations may be continued for one additional renewal license term if the aircraft involved are regularly flown at altitudes below 1.6 km (1 mi) above the earth's surface.

(d) Operation of radiolocation mobile stations may be authorized without regard to limitations and conditions set forth in paragraphs (a), (b), and (c) of this section.

[43 FR 54791, Nov. 22, 1978, as amended at 58 FR 44960, Aug. 25, 1993]