

(3) Any fixed transmitters will not count toward meeting the mobile loading requirements nor be considered in whole or in part as a justification for authorizing additional frequencies in the licensee's mobile system.

(4) Automatic means must be provided to deactivate the remote transmitter in the event the carrier remains on for a period in excess of three minutes.

(5) Operational fixed stations authorized pursuant to the provisions of paragraphs (c) and (d) of this section are exempt from the requirements of §§ 90.425 and 90.429.

(d) Conventional systems that do not have exclusive-use status in their respective geographic areas may conduct fixed ancillary signaling and data transmissions only in accordance with all the provisions of § 90.235.

[47 FR 41032, Sept. 16, 1982, as amended at 48 FR 51929, Nov. 15, 1983; 49 FR 36377, Sept. 17, 1984; 51 FR 37405, Oct. 22, 1986; 52 FR 1332, Jan. 13, 1987; 53 FR 12157, Apr. 13, 1988; 57 FR 34693, Aug. 6, 1992]

§ 90.645 Permissible operations.

Conventional and trunked radio systems may be used:

(a) Only for purposes expressly allowed under this part.

(b) Only persons who are eligible for facilities, either under this subpart or in the radio service included under subparts B or C of this part.

(c) Except for licensees classified as CMRS providers under part 20 of this chapter, only for the transmission of messages or signals permitted in the services in which the participants are eligible.

(d) For digital or analog transmissions.

(e) An SMRS licensee or a licensee who has been authorized a channel(s) on an exclusive basis, may use the system for the transmission of any base/mobile message, page or signal permitted in the service in which the participants are eligible.

(f) Where the channel(s) is assigned to an SMRS licensee or exclusively to a single licensee, or where all users of a system agree, more than a single emission may be utilized within the authorized bandwidth. In such cases, the frequency stability requirements of

§ 90.213 shall not apply, but out-of-band emission limits of § 90.209 shall be met.

(g) Up to five (5) contiguous 809–816/854–861 band channels as listed in §§ 90.615, 90.617, and 90.619 may be authorized after justification for systems requiring more than the normal single channel bandwidth. If necessary, licensees may trade channels amongst themselves in order to obtain contiguous frequencies. Notification of such proposed exchanges shall be made to the appropriate frequency coordinator(s) and to the Commission by filing an application for license modification.

(h) Up to 10 contiguous 896–901/935–940 MHz band channels as listed in § 90.617 may be combined for systems requiring more than the normal single channel bandwidth. If necessary, licensees may trade channels amongst themselves in order to obtain contiguous frequencies. Notification of such proposed exchanges shall be made to the appropriate frequency coordinator(s) and to the Commission by filing an application for license modification.

(i) Paging operations may be utilized on multiple licensed facilities (community repeaters) only when all licensees of the facility agree to such use.

[47 FR 41032, Sept. 16, 1982, as amended at 48 FR 51929, Nov. 15, 1983; 51 FR 37405, Oct. 22, 1986; 59 FR 59966, Nov. 21, 1994; 62 FR 18935, Apr. 17, 1997; 63 FR 68970, Dec. 14, 1998; 69 FR 67849, Nov. 22, 2004]

§ 90.647 Station identification.

(a) Conventional systems of communication shall be identified in accordance with existing regulations governing such matters.

(b) Trunked systems of communication, except as noted in paragraph (c) of this section, shall be identified through the use of an automatic device which transmits the call sign of the base station facility at 30 minute intervals. Such station identification shall be made on the lowest frequency in the base station trunk group assigned the licensee. Should this frequency be in use at the time station identification is required, such identification may be made at the termination of the communication in progress on this frequency. Identification may be made by voice or International Morse Code.

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When the call sign is transmitted in International Morse Code, it must be at a rate of between 15 to 20 words per minute and by means of tone modulation of the transmitter, the tone frequency being between 800 and 1000 hertz.

(c) Stations operating in either the 806–824/851–869 MHz or 896–901/935–940 MHz bands that are licensed on an exclusive basis, and normally employ digital signals for the transmission of data, text, control codes, or digitized voice may also be identified by digital transmission of the call sign. A licensee that identifies its station in this manner must provide the Commission, upon its request, information sufficient to decode the digital transmission and ascertain the call sign transmitted.

(d) Notwithstanding the requirements set forth in this paragraph, systems operated by geographic area CMRS licensees are subject only to the station identification requirements of § 90.425(e).

[47 FR 41032, Sept. 16, 1982, as amended at 58 FR 12177, Mar. 3, 1993; 65 FR 24420, Apr. 26, 2000]

§ 90.651 Supplemental reports required of licensees authorized under this subpart.

Licensees of conventional systems must notify the Commission in accordance with § 1.946 of this chapter of the number of mobile units placed in operation within their construction period.

[63 FR 68970, Dec. 14, 1998]

EDITORIAL NOTE: At 63 FR 10397, Mar. 4, 1999, § 90.651 was amended by revising paragraph (c), effective Apr. 5, 1999. However, § 90.651, as revised at 63 FR 68970, Dec. 14, 1998, effective Feb. 12, 1999, did not contain paragraph (c), and the amendment could not be incorporated.

§ 90.655 Special licensing requirements for Specialized Mobile Radio systems.

End users of conventional or trunked Specialized Mobile Radio systems that have control stations that require FAA clearance, as specified in §§ 17.7 through 17.17 of this chapter, or that may have a significant environmental effect, as defined by § 1.1307, or that are located in a “quiet zone”, as defined by § 1.924 of this chapter must be individually li-

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censed for such control stations prior to construction or operation. All other end users’ operations will be within the scope of the base station licensee. All end users, however, continue to be responsible to comply with 47 CFR part 90 and other federal laws.

[57 FR 40850, Sept. 8, 1992, as amended at 63 FR 68970, Dec. 14, 1998]

§ 90.656 Responsibilities of base station licensees of Specialized Mobile Radio systems.

(a) The licensees of base stations that provide Specialized Mobile Radio service on a commercial basis of the use of individuals, Federal government agencies, or persons eligible for licensing under either subparts B or C of this part will be responsible for exercising effective operational control over all mobile and control stations that communicate with the base station. The base station licensee will be responsible for assuring that its system is operated in compliance with all applicable rules and regulations.

(b) Customers that operate mobile units on a particular Specialized Mobile Radio system will be licensed to that system. A customer that operates temporarily on more than one system will be deemed, when communicating with the other system, to be temporarily licensed to the other system and for that temporary period, the licensee of the other system will assume the same licensee responsibility for the customer’s mobile station(s) as if the customer’s stations were licensed to that other system.

[57 FR 40851, Sept. 8, 1992, as amended at 62 FR 18935, Apr. 17, 1997]

POLICIES GOVERNING THE LICENSING AND USE OF MTA-BASED SMR SYSTEMS IN THE 896–901/935–940 MHz BAND

§ 90.661 MTA-based SMR service areas.

MTA licenses for SMR spectrum blocks in the 896–901/935–940 MHz band listed in table 4B of § 90.617(d) are available in 51 Major Trading Areas (MTAs) as defined in § 90.7. Within these MTAs, licenses will be authorized in ten channel blocks as specified in table 4B of