

certified Personal Radio Service transmitter type, and then only pursuant to and in full compliance with the requirements and procedures for permissible changes and modifications in part 2 of this chapter. *See* §§2.932 and 2.1043 of this chapter.

§ 95.337 Operation of impermissibly modified equipment prohibited.

No person shall modify any Personal Radio Service transmitter in a way that changes or affects the technical functioning of that transmitter such that operation of the modified transmitter results in a violation of the rules in this part. This includes any modification to provide for additional transmit frequencies, increased modulation level, a different form of modulation, or increased transmitter output power (either mean power or peak envelope power or both). Any such modification voids the certified status of the modified transmitter and renders it unauthorized for use in the Personal Radio Services. Also, no person shall operate any Personal Radio Service transmitter that has been so modified.

§ 95.339 Operation of transmitter with external device causing rule violation prohibited.

No person shall operate any Personal Radio Service transmitter to which an external device or accessory has been added such that operation of the combination results in a violation of the rules.

§ 95.341 [Reserved]

§ 95.343 Station operator responsibility and requirements.

Each Personal Radio Services station must have an operator whenever the station is transmitting. The operator of a Personal Radio Services station is responsible for proper operation of the station in compliance with all applicable rules in this part.

(a) Unless the station is operating under automatic control, the operator of a Personal Radio Services station must be located at a control point and monitoring communications while the station is transmitting.

(b) For Personal Radio Services stations operating under the authority of an individual license, the licensee is re-

sponsible for proper operation of the station in compliance with all applicable rules in this part, regardless of who is operating the station.

(c) For Personal Radio Services stations operating under the authority of an individual license, the licensee must maintain station records. If no individual license is required for a particular Personal Radio Service, the station operator must maintain the station records. Station records include copies of any FCC violation notices or other FCC letters received by the licensee or operator, any responses to such letters, each written permission received from the FCC, and other documents as the FCC may require be included.

§ 95.345 Remote control.

Operation of Personal Radio Services stations by remote control is prohibited, unless otherwise allowed for a particular Personal Radio Service by rules in the subpart governing that specific service. *See e.g.*, §§95.945 and 95.1745.

§ 95.347 Automatic control.

Operation of Personal Radio Services stations under automatic control is prohibited, unless otherwise allowed for a particular Personal Radio Service by rules in the subpart governing that specific service. *See, e.g.*, §§95.1747, 95.2347, 95.2547, 95.3347.

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§ 95.349 Network connection.

Operation of Personal Radio Services stations connected with the public switched network is prohibited, unless otherwise allowed for a particular Personal Radio Service by rules in the subpart governing that specific service. *See e.g.*, §§95.949 and 95.2749.

§ 95.351 Station identification.

Operators of Personal Radio Services stations are not required to transmit any form of station identification, unless otherwise required for a Personal Radio Service by rules in the subpart governing that specific service. *See e.g.*, §95.1751.

§ 95.353

§ 95.353 False distress signals.

No person shall transmit or cause to be transmitted by a Personal Radio Services station any false or fraudulent signals of distress, or communication relating thereto. *See* section 325(a) of the Communications Act (47 U.S.C. 325(a)).

§ 95.355 [Reserved]

§ 95.357 Duration of transmissions.

Except as otherwise provided, the operator of a Personal Radio Services station must generally limit transmissions to the minimum duration necessary. *See e.g.*, §95.2357. Some Personal Radio Services have specific duration limits, which are set forth in the subparts governing those services. *See e.g.*, §95.957.

§ 95.359 Sharing of channels.

Unless otherwise provided in the subparts governing the individual services, all channels designated for use in the Personal Radio Services are available for use on a shared basis, and are not assigned by the FCC for the exclusive use of any person or station. Operators of Personal Radio Service stations must cooperate in the selection and use of channels in order to avoid interference and make efficient use of these shared channels.

§ 95.361 Transmitter Certification.

(a) Unless otherwise provided in the subpart governing that service or in other parts of this chapter, each transmitter that operates or is intended to operate in a service of the Personal Radio Service must be certified in accordance with the governing subpart and part 2 of this Chapter.

(b) A copy of the instruction manual specified in §95.393 must be forwarded to the FCC with each request for certification of the relevant transmitter. If a final copy of that manual is not available when the certification application is submitted, the applicant may include with its application a draft or preliminary copy provided it forwards a final copy to the FCC when such a copy becomes available.

(c) Equipment certification will not be issued for transmitter types where any control, switch or other type of ad-

justment—which, when manipulated, can result in a violation of the rules—is accessible to the user.

§ 95.363 Channels available for use.

Operators of Personal Radio Stations may transmit only on the channels or frequency bands designated for the specific Personal Radio Service being used, as listed in the individual subpart governing that service. Transmissions on any channel or frequency not designated for the service being used constitutes a violation of section 301 of the Communications Act (47 U.S.C. 301).

§ 95.365 [Reserved]

§ 95.367 Transmitting power.

For transmission of emergency messages, where operators of Personal Radio Services stations have the ability to select transmitting power levels, the highest transmitting power available may be used. In all other circumstances, the minimum amount of transmitting power necessary to carry out the desired communications must be used. *See* section 324 of the Communications Act (47 U.S.C. 324).

§ 95.369 [Reserved]

§ 95.371 Emission types.

In general, Personal Radio Services stations may transmit any emission type that is appropriate for the permissible uses of the specific service, provided that it does not exceed the authorized bandwidth for that service and is in full compliance with the modulation limits (if any) and unwanted emission limits for the specific service.

(a) *Exceptions.* In some of the Personal Radio Services, stations may transmit only certain specific emission types. Any such limits are set forth in the emission types rule in the subpart governing that service. *See e.g.*, §§95.971 and 95.2971.

(b) *Emission type designators.* Emission type designators are defined in §2.201 of this chapter. Designators for emissions commonly used in the Personal Radio Services are as follows:

Description	Designator
Voice, AM	A3E
Voice, SSB	J3E
Voice, FM	F3E