

when the transmitter is held in the normal orientation.

(b) Each RCRS transmitter type must be designed to transmit only on one or more of the channels listed in §95.763.

(c) For RCRS transmitter types incorporating plug-in frequency-determining modules that are intended to be changed by the operator, the modules must be submitted for certification together with the transmitter type. Each module must contain all of the frequency determining circuitry including the oscillator. Plug-in crystals are not considered modules and must not be accessible to the user.

§§ 95.789–95.899 [Reserved]

Subpart D—CB Radio Service

§ 95.901 Scope.

This subpart contains rules that apply only to the CB Radio Service.

§ 95.903 Definitions, CBRS.

CB Radio Service (CBRS). A mobile and fixed two-way voice communication service for facilitating personal, business or voluntary public service activities, including communications to provide assistance to highway travelers.

CBRS station. Any transmitter, with or without an incorporated antenna or receiver, which is certified by the FCC to be operated in the CBRS.

Conversation. An exchange of transmissions between two CBRS stations.

Wireless remote control. Operation of a CBRS station from a remote location using a wireless link.

§ 95.905 Authority to operate CBRS stations voided by violation of operating rules.

A person's authorization to operate a CBRS station without an individual license pursuant to §95.305 is voided if that person violates any of the operating rules in this subpart, this part, or other parts of this chapter.

§§ 95.907–95.917 [Reserved]

§ 95.919 CBRS replacement parts.

The operator of a CBRS transmitter may replace parts of the CBRS trans-

mitter as stated in this section. All other internal maintenance and repairs must be carried out in accordance with §95.319.

(a) A damaged antenna on a hand-held portable CBRS transmitter may be replaced by another antenna of the same or a compatible similar type.

(b) Batteries in a hand-held portable CBRS transmitter may be replaced with batteries of a type specified by the manufacturer.

(c) A detachable external microphone may be replaced with any external microphone that does not alter the modulation characteristics in a way that results in a violation of §§95.967, 95.973, 95.975 or 95.979.

(d) Changing plug-in modules which were certified as part of the CBRS transmitter.

§ 95.921 [Reserved]

§ 95.923 CBRS station inspection.

If an authorized FCC representative requests to inspect a CBRS station, the operator must make the station and any station records available for inspection.

(a) A CBRS station includes all of the equipment used in connection with that station.

(b) Station records include the following documents, as applicable:

(1) A copy of each response to an FCC violation notice or an FCC letter.

(2) Each written permission received from the FCC.

§ 95.925 CBRS harmful interference.

If harmonic or other spurious emissions result in harmful interference, the FCC may require appropriate technical changes in the CBRS station equipment to alleviate the interference, including the use of a low pass filter between the transmitter antenna terminals and the antenna feed line.

§ 95.927 CBRS quiet hours.

If a CBRS station causes harmful interference to broadcast or communications services received by the public, and such harmful interference can not be eliminated by technical means (*i.e.*,

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filters), the FCC may, by written notice to the CBRS station operator, impose limits on the hours of operation of the CBRS station.

§ 95.929 [Reserved]

§ 95.931 Permissible CBRS uses.

The operator of a CBRS station may use that station to transmit two-way plain language voice communications to other CBRS stations and to other stations that are authorized to transmit on CBRS frequencies.

(a) *Emergency communications.* Any CBRS channel may be used for emergency communications or for traveler assistance.

(1) Operators of CBRS stations must, at all times and on all channels, give priority to emergency communications.

(2) CBRS Channel 9 may be used only for emergency communications or traveler assistance. It must not be used for any other purpose.

(b) *One-way communications.* The operator of a CBRS station may use that station to transmit one-way communications for the following purposes:

(1) To call for help or transmit other emergency communications;

(2) To provide warnings of hazardous road conditions to travelers;

(3) To make brief test transmissions (“radio checks”); or,

(4) To transmit voice paging.

(c) *Travelers assistance communications.* The operator of a CBRS station may transmit communications necessary to assist a traveler to reach a destination or to receive necessary services.

§ 95.933 Prohibited CBRS uses.

In addition to the prohibited uses set forth in § 95.333, the operator of a CBRS station must not use a CBRS station:

(a) To transmit one-way communications other than those permitted in § 95.931(b) (transmissions to seek to initiate two-way communications with another station are not considered to be one-way communications);

(b) To advertise or solicit the sale of any goods or services;

(c) To advertise a political candidate or political campaign (a CBRS station

may be used for the business or organizational aspects of a campaign);

(d) To communicate with stations in other countries, except General Radio Service stations in Canada;

(e) To transmit communications for live or delayed broadcast on a radio or television broadcast station (a CBRS station may be used to gather news items or to prepare programs);

(f) To transmit music, whistling, sound effects or any other audio material to amuse or entertain; or

(g) To transmit any sound effects solely to attract attention.

§ 95.935 Unauthorized use of non-CBRS transmitters.

The operator of a CBRS station must not use a non-CBRS transmitter to communicate with or attempt to communicate with stations in the CBRS.

(a) *Non-CBRS transmitters.* For the purposes of this section, “non-CBRS transmitters” are transmitters that are technically capable of operation in the 26–30 MHz frequency range, but are intended for use in the Amateur Radio Service (see part 97 of this chapter) or other government or non-government radio services, and are not certified for use in the CBRS.

(b) *Unlicensed operation.* The operation of non-CBRS transmitters on the CBRS channels is not authorized by § 95.305 of this part. Accordingly, the FCC considers any such operation to be a violation of section 301 of the Communications Act (47 U.S.C. 301).

§ 95.937 [Reserved]

§ 95.939 External radio frequency power amplifiers prohibited.

The operator of a CBRS station must not use an external radio frequency power amplifier to increase the transmitting power of that CBRS station under any circumstances. There are no exceptions to this rule.

(a) The FCC will presume that the operator of a CBRS station has used an external radio frequency power amplifier in violation of this section if it is in the operator’s possession or on the operator’s premises and there is other evidence that the CBRS station has been operated with more transmitting power than allowed by § 95.967.