

but need not be capable of voice operation on other Interoperability channels.

(3) Mobile and portable transmitters that are designed to operate only in the voice mode do not have to operate on the data Interoperability channels specified in § 90.531(b)(1)(i).

(b) Mobile and portable transmitters designed for data are not required to be voice capable, and vice versa.

[67 FR 61005, Sept. 27, 2002]

**§ 90.548 Interoperability Technical Standards.**

(a) Transmitters operating on those narrowband channels in the 764–776 and 794–806 MHz band designated for interoperability (See 90.531) shall conform to the following technical standards:

(1) Transmitters designed for voice operation shall include a 12.5 kHz bandwidth mode of operation conforming to the following standards, which are incorporated by reference: Project 25 FDMA Common Air Interface—New Technology Standards Project—Digital Radio Technical Standards, approved April 15, 1998, Telecommunications Industry Association, ANSI/TIA/EIA-102.BAAA-1998; Project 25 Vocoder Description, approved May 5, 1998, Telecommunications Industry Association, ANSI/TIA/EIA-102.BABA-1998.

(2) Transmitters designed for data transmission shall include a 12.5 kHz bandwidth mode of operation conforming to the following standards, which are incorporated by reference: Project 25 Data Overview—New Technology Standards Project—Digital Radio Technical Standards, approved March 3, 2000, Telecommunications Industry Association, ANSI/TIA/EIA-102.BAEA-2000; Project 25 Packet Data Specification—New Technology Standards Project—Digital Radio Technical Standards, approved March 3, 2000, Telecommunications Industry Association, ANSI/TIA/EIA-102.BAEB-2000; Project 25 Radio Control Protocol (RCP)—New Technology Standards Project—Digital Radio Technical Standards, approved March 3, 2000, Telecommunications Industry Association, ANSI/TIA/EIA-102.BAEE-2000; Project 25 FDMA Common Air Interface—New Technology Standards Project—Digital Radio Technical

Standards, approved April 15, 1998, Telecommunications Industry Association, ANSI/TIA/EIA-102.BAAA-1998.

(b) The Director of the Federal Register approves these incorporations by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of the standards listed in this section that are incorporated by reference may be inspected at the Federal Communications Commission, 445 12th Street, SW., Washington, DC (Reference Information Center) or at the Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC. The standards can also be purchased from TIA/EIA, 2500 Wilson Boulevard, Arlington, VA, 22201; Global Engineering Documents, 15 Inverness Way East, Englewood, CO 80112; or the American National Standards Institute, 25 West 43rd Street, Fourth Floor, New York, NY 10036 (or via the Internet at [www.ansi.org](http://www.ansi.org).)

[67 FR 61005, Sept. 27, 2002]

**§ 90.549 Transmitter certification.**

Transmitters operated in the 764–776 MHz and 794–806 MHz frequency bands must be certificated as required by § 90.203.

**§ 90.551 Construction requirements.**

Each station authorized under this subpart to operate in the 764–776 MHz and 794–806 MHz frequency bands must be constructed and placed into operation within 12 months from the date of grant of the authorization. However, licensees may request a longer construction period, up to but not exceeding 5 years, pursuant to § 90.155(b).

**§ 90.553 Encryption.**

(a) Encryption is permitted on all but the two nationwide Interoperability calling channels. Radios employing encryption must have a readily accessible switch or other readily accessible control that permits the radio user to disable encryption.

(b) If Encryption is employed then the following encryption protocol must be used: Project 25 DES Encryption Protocol, approved January 23, 2001, Telecommunications Industry Association, ANSI/TIA/EIA-102.AAAA-A-2001.

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(c) The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of the standard listed in this section that are incorporated by reference may be inspected at the Federal Communications Commission, 445 12th Street, SW., Washington, DC (Reference Information Center) or at the Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC. The standard can also be purchased from TIA/EIA, 2500 Wilson Boulevard, Arlington, VA, 22201; Global Engineering Documents, 15 Inverness Way East, Englewood, CO 80112; or the American National Standards Institute, 25 West 43rd Street, Fourth Floor, New York, NY 10036 (or via the Internet at [www.ansi.org](http://www.ansi.org)).

[66 FR 10636, Feb. 16, 2001, as amended at 67 FR 61006, Sept. 26, 2002]

### **Subpart S—Regulations Governing Licensing and Use of Frequencies in the 806–824, 851–869, 896–901, and 935–940 MHz Bands**

#### **§ 90.601 Scope.**

This subpart sets out the regulations governing the licensing and operations of all systems operating in the 806–824/851–869 MHz and 896–901/935–940 MHz bands. It includes eligibility requirements, and operational and technical standards for stations licensed in these bands. It also supplements the rules regarding application procedures contained in part 1, subpart F of this chapter. The rules in this subpart are to be read in conjunction with the applicable requirements contained elsewhere in this part; however, in case of conflict, the provisions of this subpart shall govern with respect to licensing and operation in these frequency bands.

[63 FR 68967, Dec. 14, 1998]

#### APPLICATION FOR AUTHORIZATIONS

#### **§ 90.603 Eligibility.**

The following persons are eligible for licensing in the 806–824 MHz, 851–869 MHz, 896–901 MHz, and 935–940 MHz Bands.

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(a) Any person eligible for licensing under subparts B, C, D, or E of this part.

(b) Any person proposing to provide communications service to any person eligible for licensing under subparts B or C of this part on a not-for-profit, cost-shared basis.

(c) Any person eligible under this part and proposing to provide on a commercial basis base station ancillary facilities as a Specialized Mobile Radio Service System operator, for the use of individuals, federal government agencies and persons eligible for licensing under subparts B or C of this part.

[47 FR 41032, Sept. 16, 1982, as amended at 53 FR 1025, Jan. 15, 1988; 60 FR 15495, Mar. 24, 1995; 62 FR 18934, Apr. 17, 1997]

#### **§ 90.605 Forms to be used.**

Applications for conventional and trunked radio facilities must be prepared on FCC Form 601 and must be submitted or filed in accordance with § 90.127 and part 1, subpart F of this chapter.

[63 FR 68967, Dec. 14, 1998]

#### **§ 90.607 Supplemental information to be furnished by applicants for facilities under this subpart.**

(a) Where the applicant is a person proposing to provide service to eligibles under this part on a commercial basis, the applicant must supply:

(1) A statement of the planned mode of operation.

(2) A statement certifying that no person not eligible to use the proposed facility for the purposes for which it is to be authorized will be offered or provided service through the licensee's base station facility.

(b) Except for applicants for SMR licenses, all applicants for conventional radio systems must:

(1) List all radio systems licensed to them or proposed by them within 64 km (40 mi.) from the location of the base station transmitter site of the facility for which they have applied.

(2) Specify the number of mobile units to be placed in operation upon grant of the authorization and the number of such units that will be placed in operation within 8 months of the date of grant.