

## § 95.1211

(c) Medical implant programmer/control transmitters may be interconnected with other telecommunications systems including the public switched telephone network.

(d) Medical implant programmer/control transmitters may transmit during a MICS communications session, as defined in § 95.628, for the purpose of facilitating MICS system operation for no more than 5 seconds without the communications of data.

(e) Medical implant programmer/control transmitters may not be used to relay information to a receiver that is not included with a medical implant device. Wireless retransmission of information intended to be transmitted by a medical implant programmer/control transmitter or information received from a medical implant transmitter shall be conducted using other radio services that operate in spectrum outside of the MICS band.

### § 95.1211 Channel use policy.

(a) The channels authorized for MICS operation by this part of the FCC Rules are available on a shared basis only and will not be assigned for the exclusive use of any entity.

(b) Those using MICS transmitters must cooperate in the selection and use of channels in order to reduce interference and make the most effective use of the authorized facilities. Channels must be selected in an effort to avoid interference to other MICS transmissions. See § 95.628.

(c) Operation is subject to the condition that no harmful interference is caused to stations operating in the 400.150–406.000 MHz band in the Meteorological Aids, Meteorological Satellite, or Earth Exploration Satellite Services. MICS stations must accept any interference from stations operating in the 400.150–406.000 MHz band in the Meteorological Aids, Meteorological Satellite, or Earth Exploration Satellite Services.

### § 95.1213 Antennas.

No antenna for a medical implant programmer/control transmitter shall be configured for permanent outdoor use, provided, however, that any antenna used outdoors shall not be affixed to any structure for which the

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height to the tip of the antenna will exceed three (3) meters (9.8 feet) above ground.

### § 95.1215 Disclosure policies.

(a) Manufacturers of MICS transmitters must include with each transmitting device the following statement: “This transmitter is authorized by rule under the Medical Implant Communications Service (part 95 of the FCC Rules) and must not cause harmful interference to stations operating in the 400.150–406.000 MHz band in the Meteorological Aids (*i.e.* transmitters and receivers used to communicate weather data), the Meteorological Satellite, or the Earth Exploration Satellite Services and must accept interference that may be caused by such aids, including interference that may cause undesired operation. This transmitter shall be used only in accordance with the FCC Rules governing the Medical Implant Communications Service. Analog and digital voice communications are prohibited. Although this transmitter has been approved by the Federal Communications Commission, there is no guarantee that it will not receive interference or that any particular transmission from this transmitter will be free from interference.”

### § 95.1217 Labeling requirements.

(a) Medical implant programmer/controller transmitters shall be labeled as provided in part 2 of this chapter and shall bear the following statement in a conspicuous location on the device:

This device may not interfere with stations operating in the 400.150–406.000 MHz band in the Meteorological Aids, Meteorological Satellite, and Earth Exploration Satellite Services and must accept any interference received, including interference that may cause undesired operation.

(b) Where a medical implant programmer/control transmitter is constructed in two or more sections connected by wire and marketed together, the statement specified in this section is required to be affixed only to the main control unit.

(c) Medical implant transmitters shall be identified with a serial number. The FCC ID number associated

with the transmitter and the information required by § 2.925 of the FCC Rules may be placed in the instruction manual for the transmitter and on the shipping container for the transmitter, in lieu of being placed directly on the transmitter.

**§ 95.1219 Marketing limitations.**

Transmitters intended for operation in the MICS may be marketed and sold only for those uses described in § 95.1209 of this part.

**Subpart J—Multi-Use Radio Service (MURS)**

SOURCE: 65 FR 60878, Oct. 13, 2000, unless otherwise noted.

GENERAL PROVISIONS

**§ 95.1301 Eligibility.**

An entity is authorized by rule to operate a MURS transmitter if it is not a foreign government or a representative of a foreign government and if it uses the transmitter in accordance with § 95.1309 and otherwise operates in accordance with the rules contained in this subpart. No license will be issued.

**§ 95.1303 Authorized locations.**

(a) MURS operation is authorized:

(1) Anywhere CB station operation is permitted under § 95.405; and

(2) Aboard any vessel of the United States, with the permission of the captain, while the vessel is travelling either domestically or in international waters.

(b) MURS operation is not authorized aboard aircraft in flight.

(c) Anyone intending to operate a MURS unit on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra in a manner that could pose an interference threat to the Arecibo Observatory shall notify the Interference Office, Arecibo Observatory, Post Office Box 995, Arecibo, Puerto Rico 00613, in writing or electronically, of the location of the unit. Operators may wish to consult interference guidelines, which will be provided by Cornell University. Operators who choose to transmit information electronically should e-mail to: prcz@naic.edu.

(1) The notification to the Interference Office, Arecibo Observatory shall be made 45 days prior to commencing operation of the unit. The notification shall state the geographical coordinates of the unit.

(2) After receipt of such notifications, the Commission will allow the Arecibo Observatory a period of 20 days for comments or objections. The operator will be required to make reasonable efforts in order to resolve or mitigate any potential interference problem with the Arecibo Observatory. If the Commission determines that an operator has satisfied its responsibility to make reasonable efforts to protect the Observatory from interference, the unit may be allowed to operate.

**§ 95.1305 Station identification.**

A MURS station is not required to transmit a station identification announcement.

**§ 95.1307 Permissible communications.**

(a) MURS stations may transmit voice or data signals as permitted in this subpart.

(b) A MURS station may transmit any emission type listed in § 95.631(j) of this chapter.

(c) MURS frequencies may be used for remote control and telemetering functions. MURS transmitters may not be operated in the continuous carrier transmit mode.

(d) MURS users shall take reasonable precautions to avoid causing harmful interference. This includes monitoring the transmitting frequency for communications in progress and such other measures as may be necessary to minimize the potential for causing interference.

[67 FR 63290, Oct. 11, 2002]

**§ 95.1309 Channel use policy.**

(a) The channels authorized to MURS systems by this part are available on a shared basis only and will not be assigned for the exclusive use of any entity.

(b) Those using MURS transmitters must cooperate in the selection and use of channels in order to reduce interference and make the most effective use of authorized facilities. Channels