

Federal Communications Commission

§ 90.531

purpose of which is to protect the safety of life, health, or property.

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§ 90.527 Regional plan requirements.

Each regional planning committee must submit a regional plan for approval by the Commission.

(a) *Common elements.* Regional plans must incorporate the following common elements:

(1) Identification of the document as the regional plan for the defined region with the names, business addresses, business telephone numbers, and organizational affiliations of the chairpersons and all members of the planning committee.

(2) A summary of the major elements of the plan and an explanation of how all eligible entities within the region were given an opportunity to participate in the planning process and to have their positions heard and considered fairly.

(3) A general description of how the spectrum would be allotted among the various eligible users within the region with an explanation of how the requirements of all eligible entities within the region were considered and, to the degree possible, met.

(4) An explanation as to how needs were assigned priorities in areas where not all eligible entities could receive licenses.

(5) An explanation of how the plan had been coordinated with adjacent regions.

(6) A detailed description of how the plan put the spectrum to the best possible use by requiring system design with minimum coverage areas, by assigning frequencies so that maximum frequency reuse and offset channel use may be made, by using trunking, and by requiring small entities with minimal requirements to join together in using a single system where possible.

(7) A detailed description of the future planning process, including, but not limited to, amendment process, meeting announcements, data base maintenance, and dispute resolution.

(8) A certification by the regional planning chairperson that all planning committee meetings, including sub-

committee or executive committee meetings, were open to the public.

(b) *Modification of regional plans.* Regional plans may be modified by submitting a written request, signed by the regional planning committee, to the Chief, Wireless Telecommunications Bureau. The request must contain the full text of the modification, and must certify that successful coordination of the modification with all adjacent regions has occurred and that all such regions concur with the modification.

§ 90.531 Band plan.

This section sets forth the band plan for the 764-776 MHz and 794-806 MHz public safety bands.

(a) *Base and mobile use.* The 764-776 MHz band may be used for base, mobile or fixed (repeater) transmissions. The 794-806 MHz band may be used only for mobile or fixed (control) transmissions.

(b) *Narrowband segments.* There are four band segments that are designated for use with narrowband emissions. Each of these narrowband segments is divided into 480 channels having a channel size of 6.25 kHz as follows:

Frequency range	Channel Nos.
764-767 MHz	1-480
773-776 MHz	481-960
794-797 MHz	961-1440
803-806 MHz	1441-1920

(1) *Narrowband nationwide interoperability channels.* The following narrowband channels are designated for nationwide interoperability licensing and use: 55, 56, 59, 60, 67, 68, 135, 136, 139, 140, 147, 148, 215, 216, 219, 220, 227, 228, 295, 296, 299, 300, 307, 308, 375, 376, 379, 380, 387, 388, 467, 468, 535, 536, 539, 540, 547, 548, 615, 616, 619, 620, 627, 628, 695, 696, 699, 700, 707, 708, 775, 776, 779, 780, 787, 788, 855, 856, 859, 860, 867, 868, 947, 948, 1015, 1016, 1019, 1020, 1027, 1028, 1095, 1096, 1099, 1100, 1107, 1108, 1175, 1176, 1179, 1180, 1187, 1188, 1255, 1256, 1259, 1260, 1267, 1268, 1335, 1336, 1339, 1340, 1347, 1348, 1427, 1428, 1495, 1496, 1499, 1500, 1507, 1508, 1575, 1576, 1579, 1580, 1587, 1588, 1655, 1656, 1659, 1660, 1667, 1668, 1735, 1736, 1739, 1740, 1747, 1748, 1815, 1816, 1819, 1820, 1827, 1828, 1907, 1908.

(2) *Reserved narrowband channels.* The following narrowband channels are reserved pending further Commission action in WT Docket No. 96-86 (*proceeding pending*): 53, 54, 57, 58, 61-66, 69-80, 133, 134, 137, 138, 141-146, 149-160, 213, 214, 217, 218, 221-226, 229-240, 293, 294, 297, 298, 301-306, 309-320, 373, 374, 377, 378, 381-386, 389-400, 453-466, 469-480, 533, 534, 537, 538, 541-546, 549-560, 613, 614, 617, 618, 621-626, 629-640, 693, 694, 697, 698, 701-706, 709-720, 773, 774, 777, 778, 781-786, 789-800, 853, 854, 857, 858, 861-866, 869-880, 933-946, 949-960, 1013, 1014, 1017, 1018, 1021-1026, 1029-1040, 1093, 1094, 1097, 1098, 1101-1106, 1109-1120, 1173, 1174, 1177, 1178, 1181-1186, 1189-1200, 1253, 1254, 1257, 1258, 1261-1266, 1269-1280, 1333, 1334, 1337, 1338, 1341-1346, 1349-1360, 1413-1426, 1429-1440, 1493, 1494, 1497, 1498, 1501-1506, 1509-1520, 1573, 1574, 1577, 1578, 1581-1586, 1589-1600, 1653, 1654, 1657, 1658, 1661-1666, 1669-1680, 1733, 1734, 1737, 1738, 1741-1746, 1749-1760, 1813, 1814, 1817, 1818, 1821-1826, 1829-1840, 1893-1906, 1909-1920.

(3) *Narrowband general use channels.* All narrowband channels established in paragraph (b), other than those listed in paragraphs (b)(1) and (b)(2), are designated for exclusive assignment to public safety eligibles subject to Commission-approved regional planning committee regional plans.

(c) *Wideband segments.* There are two band segments that are designated for use with wideband emissions. Each of these wideband segments is divided into 120 channels having a channel size of 50 kHz as follows:

Frequency range	Channel Nos.
767-773 MHz	1-120
797-803 MHz	121-240.

(1) *Wideband nationwide interoperability channels.* The following wideband channels are designated for nationwide interoperability licensing and use: 7-9, 34-36, 58-63, 85-87, 112-114, 127-129, 154-156, 178-183, 205-207, 232-234.

(2) *Reserved wideband channels.* The following wideband channels are reserved pending further Commission action in WT Docket No. 96-86 (*proceeding pending*): 1-6, 37-57, 64-84, 115-126, 157-177, 184-204, 235-240.

(3) *Wideband general use channels.* All wideband channels established in paragraph (c), except for those listed in paragraphs (c)(1) and (c)(2), are des-

ignated for shared assignment to public safety eligibles subject to Commission-approved regional planning committee regional plans.

(d) *Combining channels.* At the discretion of the appropriate regional planning committee, contiguous channels may be used in combination in order to accommodate requirements for larger bandwidth emissions, in accordance with this paragraph. As an exception to this general rule, channels designated for nationwide interoperability use must not be combined with channels that are not designated for nationwide interoperability use.

(1) *Narrowband.* Two or four contiguous narrowband (6.25 kHz) channels may be used in combination as 12.5 kHz or 25 kHz channels, respectively. The lower (in frequency) channel for two channel combinations must be an odd (*i.e.*, 1, 3, 5 8 * * *) numbered channel. The lowest (in frequency) channel for four channel combinations must be a channel whose number is equal to 1+(4×n), where n = any integer between 0 and 479, inclusive (*e.g.*, channel number 1, 5, * * * 1917). Channel combinations are designated by the lowest and highest channel numbers separated by a hyphen, *e.g.*, "1-2" for a two channel combination and "1-4" for a four channel combination.

(2) *Wideband.* Two or three contiguous wideband (50 kHz) channels may be used in combination as 100 kHz or 150 kHz channels, respectively. The lower (in frequency) channel for two channel combinations must be a channel whose number is equal to 1+(3×n) or 2+(3×n), where n = any integer between 0 and 79, inclusive (*e.g.*, channel number 1, 2, 5, 6, * * * 238, 239). The lowest (in frequency) channel for three channel combinations must be a channel whose number is equal to 1+(3×n), where n = any integer between 0 and 79, inclusive (*e.g.*, channel number 1, 5, * * * 238). Channel combinations are designated by the lowest and highest channel numbers separated by a hyphen, *e.g.*, "1-2" for a two channel combination and "1-3" for a three channel combination.

(e) *Channel pairing.* In general, channels must be planned and assigned in base/mobile pairs that are separated by 30 MHz. However, until December 31,

2006, channels other than those listed in paragraphs (b)(1) and (c)(1), may be planned and assigned in base/mobile pairs having a different separation, where necessary because 30 MHz base/mobile pairing is precluded by the presence of one or more co-channel or adjacent channel TV/DTV broadcast stations.

§ 90.533 Transmitting sites near the U.S./Canada or U.S./Mexico border.

This section applies to each license to operate one or more public safety transmitters in the 764–776 MHz and 794–806 MHz bands, at a location or locations North of Line A (see §90.7) or within 120 kilometers (75 miles) of the U.S.-Mexico border, until such time as agreements between the government of the United States and the government of Canada or the government of the United States and the government of Mexico, as applicable, become effective governing border area non-broadcast use of these bands. Public safety licenses are granted subject to the following conditions:

(a) Operation of public safety transmitters must not cause harmful interference to the reception of television broadcasts transmitted by UHF TV broadcast stations located in Canada or Mexico. In addition, public safety base, control, and mobile transmitters must comply with the interference protection criteria in §90.545 for TV/DTV stations in Canada and Mexico.

(b) Public safety facilities must accept any interference that may be caused by operations of UHF television broadcast transmitters in Canada and Mexico.

(c) Conditions may be added during the term of the license, if required by the terms of international agreements between the government of the United States and the government of Canada or the government of the United States and the government of Mexico, as applicable, regarding non-broadcast use of the 764–776 MHz and 794–806 MHz bands.

§ 90.535 Modulation and spectrum usage efficiency requirements.

Transmitters designed to operate in 764–776 MHz and 794–806 MHz frequency

bands must meet the following modulation standards:

(a) All transmitters in the 764–776 MHz and 794–806 MHz frequency bands must use digital modulation. Mobile and portable transmitters may have analog modulation capability only as a secondary mode in addition to its primary digital mode.

(b) Transmitters designed to operate in the narrowband segment using digital modulation must be capable of maintaining a minimum data rate of 4.8 kbps per 6.25 kHz of bandwidth.

(c) Transmitters designed to operate in the wideband segment using digital modulation must be capable of maintaining a minimum data rate of 384 kbps per 150 kHz of bandwidth.

[63 FR 58651, Nov. 2, 1998, as amended at 65 FR 53645, Sept. 5, 2000]

EFFECTIVE DATE NOTE: At 65 FR 53645, Sept. 5, 2000, §90.535 was amended by revising paragraphs (b) and (c), effective Nov. 6, 2000. For the convenience of the reader, the superseded text is set forth as follows:

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(b) Transmitters designed to operate in the narrowband segment using digital modulation must be capable of maintaining a data throughput of not less than 4.8 kbps in a 6.25 kHz bandwidth.

(c) Transmitters designed to operate in the wideband segment using digital modulation must be capable of maintaining a data throughput of not less than 384 kbps in a 150 kHz bandwidth.

§ 90.537 Trunking requirement.

All systems using six or more narrowband channels in the 764–776 MHz and 794–806 MHz frequency bands must be trunked systems, except for those using the designated nationwide interoperability channels.

§ 90.539 Frequency stability.

Transmitters designed to operate in 764–776 MHz and 794–806 MHz frequency bands must meet the frequency stability requirements in this section.

(a) Mobile, portable and control transmitters must normally use automatic frequency control (AFC) to lock on to the base station signal.