

Unlicensed 2-way Radio Users Take Notice!



The Westin Kierland Resort and Spa in Scottsdale, Arizona was fined by the FCC after a complaint from a General Mobile Radio Service licensee that a business was operating a repeater on 462/467.6125 MHz, a frequency allocated for use within the Family Radio Service.

After a little research by the FCC, the Westin acknowledged that they were operating on unlicensed frequencies. The Commission issued a Notice of Apparent Liability (NAL) for \$16,000 for the four repeater pairs that were not licensed and not allocated for hotel use. FCC rules specify that only individuals and their immediate family are authorized to operate on 462.6125 MHz.

If you think you may not be operating your 2-way radio system in compliance with applicable FCC rules, give us a call at 205.854.2611. We'll give you the straight story at no cost or obligation.

FCC Enforcement Information



Although not generally known, the Federal Communications Commission (FCC) is a regulatory agency. While it is true that the FCC writes rules and policies (subject to Congressional approval), the fundamental task of the FCC is to administer and ENFORCE the rules for the proper operation of communications devices and networks, both wired and wireless.

Unfortunately, as a result of numerous contributing factors (notably, budget, priorities, and staffing) many feel that this agency is a toothless tiger. Go to most any CB shop and you can easily purchase a CB “kicker” of up to 1000 watts. These illegal amplifiers can destroy legitimate CB communications for legal users as well as endangering the health of the user and those around them.

We know about those who sell unlicensed GMRS radios to hospital emergency room personnel without regard for FCC licensing or the prohibition of business use on GMRS frequencies. Go to any GMRS web forum and you will find that the majority don't know that an FCC license is required or even care. Most users don't know the bandwidth or power limitations on MURS frequencies.

Even fewer know that equipment capable of producing radio frequency energy must be tested and approved by the FCC. In some cases, the applicable term is *certification*, while in the case of most 2-way radio communications devices, the term is known as *type acceptance AND certification*.

Hardly a day goes by that that we don't see a dual band (VHF/UHF) radio authorized only for amateur use in the hands of public safety users who have been provided with simple modification instructions to allow the illegal use of these radios for public safety use.

We have received several solicitations from a Chinese manufacturer desiring to sell their products in the USA to companies like ours at heavily discounted prices. We probably don't have to tell you that the products are NOT type accepted. The same situation applies for U.S. products built for export use (Think Motorola GP68 for example).

While we acknowledge that leniency translates to privilege in the minds of many, we also know that justice works only when swiftly and fairly applied with punitive action of sufficient force to discourage all but the most dedicated law breakers. That is why the crime rate in Singapore is MUCH lower than in the United States.

Having said all this, we think it might be noteworthy to comment on current FCC enforcement policies as they relate to wireless communications. The rules call for fines, forfeiture, and even imprisonment for violators but the most common is significant fines which can be as much as eight thousand dollars a day! Here is a partial excerpt from FCC Policy Statement 91-217 which defines violation fines for land mobile users.

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| Exceeding power limit authorized by license | - | \$5,000 |
| Exceeding authorized antenna height | - | \$6,000 |
| Using unauthorized frequency | - | \$5,000 |
| Operation at unauthorized location | - | \$4,000 |
| Unauthorized emissions | - | \$5,000 |
| Use of unauthorized equipment | - | \$4,000 |

If you are in potential violation of one or more of these rules, you probably don't have anything to worry about UNTIL the guys in the black Fords show up. By the way, telling the guy with the badge that your dealer or the nice lady in China said it was OK to violate FCC Rules does not transfer the responsibility. It's YOURS!

We think it behooves you to know the rules, and to take the necessary action to be sure that you are in compliance. If you have questions, call Falcon Direct at 800.489.2611.

FCC License Emission Designators



Elsewhere on our Blog page at <http://falconinfo.blogspot.com>, we address FCC licensing issues (See FCC Information Section), like the requirement for having a license, call sign identification, etc. In an effort to keep those we serve in compliance with applicable FCC requirements, we continue to stress the need for proper licensing. One of the most overlooked requirements is the Emission Designator. You'll see it on your license down toward the bottom in the center of the page. Your license MUST show the correct designator.

Typically, older systems will have a designator of 20KOF32 for 25 kHz analog operation or 11KOF3E for 12.5 kHz analog operation. The last three digits are VERY important. F3E means the license covers ANALOG voice use only. Digital operation, such as Motorola MotoTRBO would require the last three digits to be FXE or FXD (The correct designator for MotoTRBO digital operation is 7K60FXE for voice or FXD for data). For additional information visit :

http://wireless.fcc.gov/services/index.htm?job=licensing_2&id=industrial_business&page=2

For most purposes, the following designators are recommended:

Wide Band (25 kHz) analog 11KOF3E (Voice) or last digit D for data

Narrow Band (12.5 kHz) digital 8K10F1E (Voice) Last digit D for data

Very Narrow Band digital 4K00F1E (Voice) Last digit D for data

If you wish to check your own license, you can do so by going to

<http://wireless2.fcc.gov/UlsApp/UlsSearch/searchLicense.jsp>

Then click on License Search and enter your FCC Call Sign (If you don't have one, that's a whole other issue....). Hope you have found this information to be useful!

