

13. Section 74.763 is amended by revising paragraph (c) to read as follows:

**§ 74.763 Time of operation.**

\* \* \* \* \*

(c) Failure of a low power TV, TV translator, or TV booster station to operate for a period of 30 days or more, except for causes beyond the control of the licensee, shall be deemed evidence of discontinuation of operation and the license of the station may be cancelled at the discretion of the FCC. Furthermore, the station's license will expire as a matter of law, without regard to any causes beyond control of the licensee, if the station fails to transmit broadcast signals for any consecutive 12-month period, notwithstanding any provision, term, or condition of the license to the contrary.

\* \* \* \* \*

14. Section 74.1263 is amended by revising paragraph (e) to read as follows:

**§ 74.1263 Time of operation.**

\* \* \* \* \*

(e) Failure of an FM translator or booster station to operate for a period of 30 or more consecutive days, except for causes beyond the control of the licensee or authorized pursuant to paragraph (c) of this section, shall be deemed evidence of discontinuation of operation and the license of the station may be cancelled at the discretion of the Commission. Furthermore, the station's license will expire as a matter of law, without regard to any causes beyond control of the licensee or to any authorization pursuant to paragraph (c) of this section, if the station fails to transmit broadcast signals for any consecutive 12-month period, notwithstanding any provision, term, or condition of the license to the contrary.

[FR Doc. 96-14239 Filed 6-05-96; 8:45 am]

BILLING CODE 6712-01-P

**47 CFR Part 95**

[WT Docket No. 95-102; FCC 96-215]

**Establishment of the Family Radio Service**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This action revises the Personal Radio Service rules to establish a very short distance, unlicensed, two-way voice personal radio service called the Family Radio Service (FRS). The rule amendments are necessary so that families, friends and associates could have the capability to communicate with one another over a very short

range, typically a few city blocks. The effect of this action is to provide a high-quality low-cost communications service that will be useful to hunters, campers, hikers, bicyclists and other outdoor activity enthusiasts who need to communicate with other members of their party who are out of speaking range or sight but still in the same general area.

**EFFECTIVE DATE:** July 8, 1996.

**FOR FURTHER INFORMATION CONTACT:**

William T. Cross, Federal Communications Commission, Washington, DC 20554, (202) 418-0680.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, adopted May 14, 1996, and released May 15, 1996. The complete text of this Commission action, including the rule amendments, is available for inspection and copying at the Federal Communications Commission, Room 246, 1919 M Street, NW., Washington, DC. The complete text of this Report and Order may also be obtained from the Commission's copy contractor, International Transcription Services, Inc., 2100 M Street, NW., Suite 140, Washington, DC 20037, telephone (202) 857-3800, and from the FCC's internet World Wide Web homepage, <http://www.fcc.gov>

**Summary of Report and Order**

1. By this action, we are amending the Personal Radio Service rules to establish the FRS.

2. Also, by this action, we are also amending the technical standards to establish standards for FRS transmitters.

3. The amended rules are set forth below, effective July 8, 1996.

4. This Report and Order and the rule amendments are issued under the authority contained in 47 U.S.C. 154(i), 303(r), and 307(e).

**List of Subjects in 47 CFR Part 95**

Communications equipment, Radio.

Federal Communications Commission

William F. Caton,

*Acting Secretary.*

**Rule Changes**

Part 95 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

**PART 95—PERSONAL RADIO SERVICES**

1. The authority citation for part 95 continues to read as follows:

Authority: Secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303.

2. Subpart B, §§ 95.191 through 95.194, is added to part 95 to read as follows:

**Subpart B—Family Radio Service (FRS)**

**General Provisions**

**Sec.**

95.191 (FRS Rule 1) Eligibility and responsibility.

95.192 (FRS Rule 2) Authorized locations.

95.193 (FRS Rule 3) Types of communications.

95.194 (FRS Rule 4) FRS units.

**Subpart B—Family Radio Service (FRS)**

**General Provisions**

**§ 95.191 (FRS Rule 1) Eligibility and responsibility.**

(a) Unless you are a representative of a foreign government, you are authorized by this rule to operate an FCC certified FRS unit in accordance with the rules in this subpart. No license will be issued.

(b) You are responsible for all communications that you make with the FRS unit. You must share each channel with other users. No channel is available for the private or exclusive use of any user.

**§ 95.192 (FRS Rule 2) Authorized locations.**

(a) Provided that you comply with these rules, you are authorized to operate an FRS unit:

(1) Within or over any area of the world where radio services are regulated by the FCC (this area includes the fifty United States and the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands (50 islets and cays), American Samoa (seven islands), the Commonwealth of Northern Mariana Islands, and Guam Island);

(2) Within or over any other area of the world, except within or over the territorial limits of areas where radio services are regulated by an agency of the United States other than the FCC or any foreign government (you are subject to its rules);

(3) Aboard any vessel or aircraft registered in the United States, with the permission of the captain, that is within or over any area of the world where radio services are regulated by the FCC or upon or over international waters;

(4) or; Aboard any unregistered vessel or aircraft owned or operated by a United States citizen or company that is within or over any area of the world where radio services are regulated by the FCC or upon or over international waters.

(5) You must operate the FRS unit only according to any applicable treaty to which the United States is a party.

The FCC will make public notice of any such conditions.

(b) Your use of an FRS unit must not cause harmful interference to a FCC monitoring facility. Doing so could result in imposition of restrictions upon the operation of the FRS unit within 0.8 km (0.5 mile) of the facility by its Engineer-in-Charge. (Geographical coordinates of the facilities that require protection are listed in § 0.121(c) of this chapter.)

(c) The FCC may impose additional restrictions on a FRS station if the station is located at a point within the National Radio Quiet Zone (an area within the States of Maryland, Virginia and West Virginia). The Zone is the area bounded by:

- (1) 39° 15' N. on the North;
- (2) 78° 30' W. on the East;
- (3) 37° 30' N. on the South; and
- (4) 80° 30' W. on the West.

#### **§ 95.193 (FRS Rule 3) Types of communications.**

(a) You may use an FRS unit to conduct two-way voice communications with another person. You may use the FRS unit to transmit one-way communications only to establish communications with another person, send an emergency message, provide traveler assistance, make a voice page, or to conduct a brief test.

(b) The FRS unit may transmit tones to make contact or to continue communications with a particular FRS unit. If the tone is audible (more than 300 Hertz), it must last no longer than 15 seconds at one time. If the tone is subaudible (300 Hertz or less), it may be transmitted continuously only while you are talking.

(c) You must not use an FRS unit in connection with any activity which is against federal, state or local law.

(d) You must, at all times and on all channels, give priority to emergency communication messages concerning the immediate safety of life or the immediate protection of property.

(e) No FRS unit may be interconnected to the public switched network.

#### **§ 95.194 (FRS Rule 4) FRS units.**

(a) You may only use an FCC certified FRS unit. (You can identify an FCC certified FRS unit by the label placed on it by the manufacturer.)

(b) You must not make, or have made, any internal modification to an FRS unit. Any internal modification cancels the FCC certification and voids your authority to operate the unit in the FRS.

(c) You may not attach any antenna, power amplifier, or other apparatus to an FRS unit that has not been FCC

certified as part of that FRS unit. There are no exceptions to this rule and attaching any such apparatus to a FRS unit cancels the FCC certification and voids everyone's authority to operate the unit in the FRS.

#### **Subpart D—Citizens Band (CB) Radio Service**

3. Section 95.401 is revised to read as follows:

##### **§ 95.401 (CB Rule 1) What are the Citizens Band Radio Services?**

The Citizens Band Radio Services are:

(a) The Citizens Band (CB) Radio Service—a private, two-way, short-distance voice communications service for personal or business activities of the general public. The CB Radio Service may also be used for voice paging.

(b) The Family Radio Service (FRS)—a private, two-way, very short-distance voice communications service for facilitating family and group activities. The rules for this service are contained in Subpart B of this part.

#### **Subpart E—Technical Regulations**

4. Section 95.601 is revised to read as follows:

##### **§ 95.601 Basis and purpose.**

These rules provide the technical standards to which each transmitter (apparatus that converts electrical energy received from a source into RF (radio frequency) energy capable of being radiated) used or intended to be used in a station authorized in any of the Personal Radio Services must comply. They also provide requirements for obtaining type acceptance of such transmitters. The Personal Radio Services are the GMRS (General Mobile Radio Service), the Family Radio Service (FRS), the R/C (Radio Control Radio Service), and the CB (Citizens Band Radio Service). For operating rules, see Part 95, Subpart A—GMRS; Subpart B—FRS; Subpart C—R/C; and Subpart D—CB.

5. Section 95.603 is amended by revising the section heading and adding paragraph (d) to read as follows:

##### **§ 95.603 Type acceptance or certification required.**

\* \* \* \* \*

(d) Each FRS unit (a transmitter that operates or is intended to operate in the FRS) must be certified for use in the FRS in accordance with Subpart J of Part 2 of this chapter.

6. Section 95.605 is revised to read as follows:

##### **§ 95.605 Type acceptance and certification procedures.**

Any entity must request type acceptance for its transmitter when the transmitter is used in the GMRS, R/C or CB Radio Service, or IVDS following the procedures in Part 2 of this chapter. Any entity must request certification for its transmitter when the transmitter is used in the FRS following the procedures in Subpart J of Part 2 of this chapter.

##### **§§ 95.627 through 95.669 (Redesignated as §§ 95.629 through 95.671)**

7. Sections 95.627 through 95.669 are redesignated as 95.629 through 95.671 and a new Section 95.627 is added to read as follows:

##### **§ 95.627 FRS unit channel frequencies.**

(a) The FRS unit channel frequencies are:

Channel No.	(MHz)
1 .....	462.5625
2 .....	462.5875
3 .....	462.6125
4 .....	462.6375
5 .....	462.6625
6 .....	462.6875
7 .....	462.7125
8 .....	467.5625
9 .....	467.5875
10 .....	467.6125
11 .....	467.6375
12 .....	467.6625
13 .....	467.6875
14 .....	467.7125

(b) Each FRS unit must be maintained within a frequency tolerance of 0.00025%.

8. Newly redesignated § 95.629 is amended by revising paragraph (b), redesignating paragraphs (d) and (e) as paragraphs (e) and (f) respectively, and adding a new paragraph (d) to read as follows:

##### **§ 95.629 Emission types.**

\* \* \* \* \*

(b) An R/C transmitter may transmit any appropriate non-voice emission which meets the emission limitations of § 95.633.

\* \* \* \* \*

(d) An FRS unit may transmit only emission type F3E. A non-voice emission is limited to selective calling or tone-operated squelch tones to establish or continue voice communications.

\* \* \* \* \*

9. Newly redesignated § 95.631 is amended by adding a new paragraph (c) to read as follows:

##### **§ 95.631 Emission bandwidth.**

\* \* \* \* \*

(c) The authorized bandwidth for emission type F3E transmitted by a FRS unit is 12.5 kHz.

10. Newly redesignated § 95.633 is amended by revising paragraph (b) to read as follows:

**§ 95.633 Unwanted radiation.**

\* \* \* \* \*

(b) The power of each unwanted emission shall be less than TP as specified in the applicable paragraph:

Transmitter	Emission type	Applicable paragraphs
GMRS .....	A1D, A3E, F1D, G1D, F3E, G3E with filtering .....	(1), (3), (7)
	A1D, A3E, F1D, G1D, F3E, G3E without filtering .....	(5), (6), (7)
	H1D, J1D, R1D, H3E, J3E, R3E .....	(2), (4), (7)
FRS .....	F3E with filtering .....	(1), (3), (7)
Note: Filtering refers to the requirement in § 95.635(b) R/C:		
27 MHz band .....	As specified in § 95.629(b) .....	(1), (3), (7)
72–76 MHz band .....	As specified in § 95.629(b) .....	(1), (3), (7), (10), (11), (12)
CB .....	A1D, A3E .....	(1), (3), (8), (9)
	H1D, J1D, R1D, H3E, J3E, R3E .....	(2), (4), (8), (9)
	A1D, A3E type accepted before September 10, 1976 .....	(1), (3), (7)
	H1D, J1D, R1D, H3E, J3E, R3E type accepted before September 10, 1986 ....	(2), (4), (7)

\* \* \* \* \*

11. Newly redesignated § 95.635 is amended by revising paragraph (a) to read as follows:

**§ 95.635 Modulation standards.**

(a) A GMRS transmitter that transmits emission types F1D, G1D, or G3E must not exceed a peak frequency deviation of plus or minus 5 kHz. A GMRS transmitter that transmits emission type F3E must not exceed a peak frequency deviation of plus or minus 5 kHz. A FRS unit that transmits emission type F3E must not exceed a peak frequency deviation of plus or minus 2.5 kHz, and the audio frequency response must not exceed 3.125 kHz.

\* \* \* \* \*

12. Newly redesignated § 95.637 is amended by adding a new paragraph (d) to read as follows:

**§ 95.637 Maximum transmitter power.**

\* \* \* \* \*

(d) No FRS unit, under any condition of modulation, shall exceed 0.500 W effective radiated power (ERP).

13. Newly redesignated § 95.645 is revised to read as follows:

**§ 95.645 FRS unit and R/C transmitter antennas.**

The antenna of each FRS unit, and the antenna of each R/C station transmitting in the 72–76 MHz band, must be an integral part of the transmitter. The antenna must have no gain (as compared to a half-wave dipole) and must be vertically polarized.

14. Newly redesignated § 95.647 is revised to read as follows:

**§ 95.647 Power capability.**

No CB or R/C station transmitter or FRS unit shall incorporate provisions for increasing its transmitter power to

any level in excess of the limit specified in § 95.637.

15. Newly redesignated § 95.649 is revised to read as follows:

**§ 95.649 Crystal control required.**

All transmitters used in the Personal Radio Services must be crystal controlled, except an R/C station that transmits in the 26–27 MHz frequency band, and a FRS unit.

16. Appendix 1 to Subpart E is amended by adding the definition for “FRS”, in alphabetical order, to read as follows:

Appendix 1 To Subpart E-Glossary of Terms

\* \* \* \* \*

FRS. Family Radio Service.

\* \* \* \* \*

[FR Doc. 96–14140 Filed 6–5–96; 8:45 am]

BILLING CODE 6712–01–P

**DEPARTMENT OF TRANSPORTATION**

**Research and Special Programs Administration**

**49 CFR Part 192**

[Docket PS–124; Amdt. 192–76]

RIN 2137–AC25

**Regulatory Review; Gas Pipeline Safety Standards**

**AGENCY:** Research and Special Programs Administration (RSPA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This final rule changes miscellaneous gas pipeline safety regulations to provide clarity, eliminate unnecessary or burdensome requirements, and foster economic growth. The changes result from a

comprehensive review of the regulations RSPA has completed under President Clinton's Regulatory Reinvention Initiative to reduce the burden of government regulations. The changes are intended to reduce the costs of compliance without compromising safety.

**EFFECTIVE DATE:** This final rule is effective July 8, 1996. The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 8, 1996.

**FOR FURTHER INFORMATION CONTACT:** A. C. Garnett, (202) 366–2036, or L. M. Furrow, (202) 366–4559, regarding the subject matter of this amendment, or the Dockets Unit, (202) 366–5046 regarding copies of this amendment or other material in the docket.

**SUPPLEMENTARY INFORMATION:**

**Background**

Early in 1992, RSPA began an extensive review of the federal gas pipeline safety regulations (49 CFR part 192) and invited the public to participate (57 FR 4745, Feb. 7, 1992). The review was to see what changes were necessary to provide clarity, eliminate unnecessary or overly burdensome requirements, and foster economic growth. As a result of the review, RSPA published a Notice of Proposed Rulemaking (NPRM), proposing changes to 38 regulations in part 192 (Notice 1; 57 FR 39572, Aug. 31, 1992).

Then the National Association of Pipeline Safety Representatives (NAPSR) reported on a separate but related review of part 192. RSPA had asked NAPSR to identify regulations in part 192 that may not assure safety or