



# PUBLIC NOTICE

**Federal Communications Commission**  
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**Washington, D.C. 20554**

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**DA 05-1782**

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## **WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON LOJACK CORPORATION'S REQUEST FOR A WAIVER OF 47 C.F.R. § 90.20(e)(6)**

**Comment Date: July 13, 2005**

On May 13, 2005, LoJack Corporation (“LoJack”) filed a request for waiver of certain provisions of the Commission’s Rules, 47 C.F.R. § 90.20(e)(6). As discussed in greater detail below, LoJack requests (1) authorization by rule, rather than by license, of the mobile transceivers used as part of LoJack’s stolen vehicle recovery system; (2) use of emissions other than the currently authorized F1D and F2D emissions; (3) a waiver of the duty cycle limits; and (4) a waiver to allow LoJack’s system to be used for tracking and recovery of cargo and hazardous materials.

In 1989, the Commission adopted 47 C.F.R. § 90.20(e)(6), designating frequency 173.075 MHz for Stolen Vehicle Recovery System (SVRS) operations. Such frequency use is authorized on a shared basis with the Federal Government. LoJack is the only current SVRS operator. LoJack’s system assists public safety entities equipped with the company’s technology to locate and ultimately recover stolen vehicles. When a vehicle owner subscribing to LoJack’s service notifies the police that his or her vehicle has been stolen, the police department can wirelessly activate in the vehicle a mobile transceiver known as a vehicle location unit (“VLU”). Once the VLU is activated, a police car equipped with LoJack’s location-finding apparatus can then “home in” on the location of the stolen vehicle. The Commission licenses state and local public safety entities to operate LoJack’s SVRS base station equipment, and the base station authorization also covers LoJack’s mobile units served by the base station.

In 2002, the Commission amended the Section 90.20(e)(6). The rule’s duty cycle limitation of 200 milliseconds per 10 seconds was increased to 1800 milliseconds for every 300 seconds (with a maximum of six messages in any thirty-minute period). The longer duty cycle allows SVRS operations to incorporate an early warning feature that minimizes lag time, thus assisting in the recovery of a stolen vehicle.

LoJack is required to migrate its operations from 25 kHz bandwidth to 12.5 kHz by 2019.<sup>1</sup> In conjunction with the redesign of its system to comply with the narrowbanding requirements, LoJack filed

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<sup>1</sup> See Amendment of Parts 2 and 90 of the Commission's Rules to Provide for Narrowband Private Land Mobile Radio Channels in the 150.05-150.8 MHz, 162-174 MHz, and 406.1-420 MHz Bands that are Allocated for Federal Government Use, ET Docket No. 04-243, *Report and Order*, 20 FCC Rcd 5793 (2005); *Erratum*, DA 05-1523 (OET rel. May 25, 2005).

a petition for a rulemaking on October 25, 2004 seeking changes to the Commission's SVRS rules. In its petition for rulemaking, LoJack seeks rule changes to facilitate narrowbanding and greater technical and operational flexibility for SVRS operations.<sup>2</sup> On May 13, 2005, LoJack filed a related waiver request to implement certain of the changes proposed in its rulemaking petition, pending the Commission's disposition of the petition. Specifically, LoJack requests waiver of Section 90.20(e)(6) of the Commission's Rules as follows:

- (1) **License by Rule:** LoJack requests that VLUs be authorized on a license-by-rule basis. LoJack plans to incorporate cellular technology to activate and deactivate the VHF transponders in its VLU even in areas not covered by existing base stations. Commission rules currently authorize the operation of the VLUs only pursuant to the base station license.
- (2) **Additional Permitted Emissions:** LoJack requests that the Commission waive the analog emission limits (F1D and F2D) on an interim basis to permit LoJack to implement digital technology in its SVRS system.
- (3) **Duty Cycle Limitations:** LoJack requests an "interim waiver of the [rule's] duty cycle limits" contending that waiver is warranted to enable LoJack to expand the scope of its public safety and security offerings.
- (4) **Service Expansion:** LoJack requests expanded permissible use of its system to allow tracking and recovery of cargo and hazardous materials. Currently SVRS is limited to vehicle recovery.<sup>3</sup>

The full text of the waiver request and comments will be available for inspection and duplication during regular business hours in the FCC Reference Information Center (RIC) of the Consumer and Governmental Affairs Bureau, Federal Communications Commission, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. Copies also may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554. Customers may contact BCPI through its web site, <http://www.bcpweb.com>, by email at [fcc@bcpweb.com](mailto:fcc@bcpweb.com), by phone at (202) 488-5300 or (800) 378-3160, or by facsimile at (202) 488-5563. For further information regarding the public reference file for this waiver request, contact Maria Ringold, Chief, Wireless Branch, RIC, (202) 418-1355.

Interested parties may file comments on the waiver request on or before July 13, 2005. All comments should reference the subject waiver request including the DA number of this *Public Notice*, and should be filed with the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., TW-A325, Washington, D.C. 20054. This address for FCC locations should be used only for documents filed by United States Postal Service first-class mail, Express Mail, and Priority Mail. Hand-delivered or messenger-delivered documents for the Commission's Secretary are accepted only by the Commission's contractor, Natek, Inc., at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held

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<sup>2</sup> The petition for rulemaking was placed on *Public Notice* on January 5, 2005. See *PN* Report No. 2868 (rel. Jan. 5, 2005). Comments were due February 4, 2005. The present *Public Notice* seeks comment only on LoJack's waiver request, not on the pending petition for rulemaking.

<sup>3</sup> Section 90.20(e)(6) of the Commission's Rules states, "The frequency 173.075 MHz is available for stolen vehicle recovery systems. . . . Stolen vehicle recovery systems are limited to recovering stolen vehicles and are not authorized for general purpose vehicle tracking or monitoring."

together with rubber bands or fasteners. Any envelopes must be disposed of before entering 236 Massachusetts Avenue, N.E. Other messenger-delivered documents, including documents sent by overnight mail (other than United States Postal Service Express Mail and Priority Mail) should be addressed for delivery to 9300 East Hampton Drive, Capitol Heights, MD 20743. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. See FCC Announces a New Filing Location for Paper Documents and a New Fax Number for General Correspondence, *Public Notice*, 16 FCC Rcd 22165 (2001).

Unless otherwise provided, requests for waiver of the Commission's Rules are subject to treatment by the Commission as restricted proceedings for *ex parte* purposes under Section 1.1208 of the Commission's Rules, 47 C.F.R. § 1.1208. Because of the policy implications and potential impact of this proceeding on persons not parties to the waiver request, we believe it would be in the public interest to treat this case as a permit-but-disclose proceeding under the *ex parte* rules. See Sections 1.1200(a), 1.1206 of the Commission's Rules, 47 C.F.R. §§ 1.1200(a), 1.1206. Therefore, subsequent to the release of this *Public Notice*, *ex parte* presentations that are made with respect to the issues involved in the subject waiver requests will be allowed but must be disclosed in accordance with the requirements of Section 1.1206(b) of the Commission's Rules, 47 C.F.R. § 1.1206(b).

For further information, please contact Mr. Rodney Conway of the Public Safety and Critical Infrastructure Division, Wireless Telecommunications Bureau at (202) 418-2904, TTY (202) 418-7233, or via e-mail at [Rodney.Conway@fcc.gov](mailto:Rodney.Conway@fcc.gov).

By the Chief, Public Safety and Critical Infrastructure Division, Wireless Telecommunications Bureau.

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