



PUBLIC NOTICE

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**OFFICE OF ENGINEERING AND TECHNOLOGY SEEKS COMMENT ON
BROSE NORTH AMERICA, INC. REQUEST FOR WAIVER OF SECTION 15.255(c)(3) OF
THE COMMISSION'S RULES FOR IN-VEHICLE RADAR OPERATION IN THE
57-64 GHZ BAND**

ET Docket No. 20-434

Comment Date: February 1, 2021
Reply Comment Date: February 16, 2021

On November 25, 2020, Brose North America, Inc. (Brose) filed a request for waiver of section 15.255(c)(3) of the Commission's rules¹ to allow Brose to obtain a grant of equipment authorization for a radar operating as a short-range interactive motion sensor (SRIMS) in the 57-64 GHz band at a higher power than specified in the rule, limited to operation within automotive vehicle cabins.²

According to Brose, the main focus of its device is to detect humans (including infants and children) inadvertently left in an automobile and their associated body sizes and/or movements.³ Brose states that the Brose device is intended to be mounted behind a non-conductive headliner or a covering in the roof area of a commercial passenger vehicle.⁴

Under the Commission's rules, SRIMS devices must comply with a peak transmitter conducted output power limit of -10 dBm and a peak equivalent isotropically radiated power (EIRP) limit of +10 dBm.⁵ Brose requests to operate its devices under the same technical parameters as those we granted to Google in a 2018 waiver order.⁶ Under that waiver, we permitted Google to deploy its Soli sensor technology to enable touchless control of device functions or features (such as its Pixel phone) at

¹ 47 CFR § 15.255(c)(3).

² *Brose North America, Inc. Request for Waiver of 47 CFR § 15.255(c)(3) for Short Range Interactive Motion Sensing Devices in Vehicles* (filed Nov. 25, 2020) (*Request*).

³ *Id.* at 2.

⁴ *Id.*

⁵ 47 CFR § 15.255(c)(3).

⁶ *Request* at 4 (citing *Google LLC Request for Waiver of Section 15.255(c)(3) of the Commission's Rules Applicable to Radars used for Short-Range Interactive Motion Sensing in the 57-64 GHz Frequency Band*, ET Docket No. 18-70, Order, 33 FCC Rcd 12542 (OET 2018) (Google Waiver). We note that Brose only seeks a waiver of 15.255(c)(3). Google also received a waiver of 15.255(b)(2), which restricts airborne operation. Google Waiver, 33 FCC Rcd at 12542, para. 1. Brose states that it only plans to deploy its technology in automotive vehicles. *Request* at 1, 4. We also note that although Brose can accommodate the 10% duty cycle that will not exceed 3.3ms in any 33ms interval, it requests the Commission to consider the 10% duty cycle based on 4.0ms in any 40ms time period for enhanced detection. *Request* at 4-5.

+10 dBm peak transmitter conducted output power, +13 dBm peak EIRP level, and +13 dBm/MHz peak power spectral density, with a 10% duty cycle in any 33 milliseconds (ms) interval.⁷

To develop a complete record on the issues presented by this request, the proceeding will be treated, for *ex parte* purposes, as a “permit-but-disclose” proceeding in accordance with Section 1.1200(a) of the Commission’s rules, subject to the requirements under Section 1.1206(b). Brose filed its petition electronically as a non-docketed proceeding in the Commission’s Electronic Comment Filing System,⁸ We have opened a new docket, **ET Docket 20-434** to facilitate consideration of this request and have moved Brose’s submission into this docket. Parties should file all comments and reply comments in **ET Docket 20-434**.

Pursuant to sections 1.415 and 1.419 of the Commission’s rules, 47 CFR §§ 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS). *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://apps.fcc.gov/ecfs/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.

- Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID-19.⁹
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 45 L Street, NE, Washington DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

⁷ Google Waiver, 33 FCC Rcd at 12548-49, para. 14. Google developed the Soli sensor to capture motion in a three-dimensional space using a radar beam, which enables persons to use gestures and motions to control a smartphone’s functions or features. *See* www.google.com/soli.

⁸ Brose filed in INBOX-PART15 (“Petition for Waiver of Part 15”), which is our preferred intake for waivers of the Part 15 rules.

⁹ *See FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, Public Notice, 35 FCC Rcd 2788 (OMD 2020).

Parties should also send a copy of their filings to Anh T. Wride, Office of Engineering and Technology, Federal Communications Commission, 45 L Street, NE, Washington DC 20554, or by e-mail to anh.wride@fcc.gov.

Documents associated with this docket will be available for public inspection through the Commission's ECFS.

By the Acting Chief, Office of Engineering and Technology

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