



**FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
REGION THREE**

Los Angeles Regional Office
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(562) 860-7474

December 10, 2018

Outlaw Trucking
Attn: Jason Dial
Englewood, CO 80110

NOTICE OF UNLICENSED OPERATION

Case No.: EB-FIELDWR-18-00027225

On June 27, 2018, an Agent from the Denver Office of the Federal Communications Commission's (FCC's or Commission's) Enforcement Bureau (Bureau) investigated a complaint from the City and County of Denver (Denver) of an unauthorized Land Mobile Radio Service Station operating on the frequency 851.0125 MHz in Denver, Colorado. Representatives from Denver informed the FCC Denver Office that Non-Public Safety communications were being heard on this frequency, a channel designated as a National Mutual Aid Repeater Channel.¹ On July 3, 2018, when the offending signal was again active, an Agent from the Denver Office, using radio direction finding techniques, located the source to your vehicle at 5775 Franklin Street in Denver, Colorado. During an inspection, which included an on/off test of the mobile radio installed within the vehicle, the Agent found that Outlaw Trucking (Outlaw) was operating mobile stations on 851.0125 MHz. Commission records show no license issued for your operation of a radio station at this location on 851.0125 MHz.

Radio stations must be licensed by the FCC pursuant to Section 301 of the Communications Act of 1934, as amended (Act).² The only exceptions to this licensing requirement are for certain transmitters using or operating at a power level or mode of operation that complies with the standards established in Part 15 of the Commission's rules.³ Additionally, stations operating between 851.0125 – 853.9875 MHz are available to eligible Public Safety applicants only,⁴ with

¹ 47 CFR § 90.20(i).

² 47 U.S.C. § 301.

³ 47 CFR §§ 15.1 *et seq.*

⁴ 47 CFR § 90.617(a).

frequency 851.0125 MHz available “only for mutual aid purposes.”⁵ On July 3, 2018, you operated on frequency 851.0125 MHz without an authorization and for which you were not eligible. Thus, this station was operating in violation of Section 301 of the Act.⁶

You are hereby warned that operation of radio transmitting equipment without a valid radio station authorization constitutes a violation of the Federal laws cited above and may subject the operator to severe penalties, including, but not limited to, substantial monetary fines, *in rem* arrest action against the offending radio equipment, and criminal sanctions, including imprisonment.⁷

UNLICENSED OPERATION MUST BE DISCONTINUED IMMEDIATELY AND MUST NOT RESUME.

You have ten (10) days from the date of this notice to respond with any evidence that you have authority to operate granted by the FCC. Your response should be sent to the address in the letterhead and reference the listed case and document number. Under the Privacy Act of 1974,⁸ we are informing you that the Commission’s staff will use all relevant material information before it to determine what, if any, enforcement action is required to ensure your compliance with FCC Rules. This will include any information that you disclose in your reply.

You may contact this office if you have any questions.

Lark Hadley
Regional Director
Region Three
Enforcement Bureau

Attachments:

Excerpts from the Communications Act of 1934, As Amended
Enforcement Bureau, "Inspection Fact Sheet", March 2005

⁵ 47 CFR § 90.617(a)(1).

⁶ 47 U.S.C. § 301.

⁷ See 47 U.S.C. §§ 401, 501, 503 and 510.

⁸ 5 U.S.C. § 552a(e)(3).

