



## Radiocommunications (Intelligent Transport Systems) Class Licence 2017

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The Australian Communications and Media Authority makes the following class licence under section 132 of the *Radiocommunications Act 1992*.

Dated: 18 December 2017

Nerida O'Loughlin  
[signed]  
Member

Brendan Byrne  
[signed]  
~~Member~~/General Manager

Australian Communications and Media Authority

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## Part 1 Preliminary

### 1 Name

This is the *Radiocommunications (Intelligent Transport Systems) Class Licence 2017*.

### 2 Commencement

This instrument commences at the start of the day after it is registered.

*Note* The Federal Register of Legislation may be accessed at [www.legislation.gov.au](http://www.legislation.gov.au).

### 3 Authority

This instrument is made under section 132 of the Act.

### 4 Interpretation

(1) In this instrument:

**ARPANSA Standard** means the *Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields – 3 kHz to 300 GHz*, published by the Australian Radiation Protection and Nuclear Safety Agency, as existing from time to time.

*Note* The ARPANSA Standard is available from the Australian Radiation Protection and Nuclear Safety Agency website: <http://www.arpansa.gov.au>.

**ETSI** means the European Telecommunications Standards Institute.

**ETSI Standard EN 302 571** means *Intelligent Transport Systems (ITS); Radiocommunications equipment operating in the 5 855 MHz to 5 925 MHz frequency band; Harmonised Standard covering the essential requirements of article 3.2 of Directive 2014/53/EU*, published by ETSI, as existing from time to time.

**external antenna** means a removable antenna that is not an integral antenna.

**integral antenna** means an antenna that is permanently fixed to a device, or which is intended for direct attachment to a fixed connector on the device, without the use of an external cable.

**ITS station** means a radiocommunications transmitter that is operated as part of an intelligent transport system established for the purpose of road transport that is:

- (a) on a vehicle;
- (b) part of a vehicle, regardless of whether the transmitter was part of the vehicle when the vehicle was manufactured;
- (c) held or carried by an individual in relation to a vehicle; or
- (d) on, or part of, a fixed or mobile roadside structure.

**maximum EIRP**, for a transmitter that is an ITS station, means the largest EIRP that may be radiated by the transmitter in any direction.

**radiated power** means the power that is emitted from either of the following:

- (a) an integral antenna; or
- (b) an external antenna.

*Note 1* A number of expressions used in this instrument are defined in the Act, including the following:

- ACMA
- device
- interference
- radiocommunications device
- radiocommunications transmitter
- Register
- standard
- transmitter.

*Note 2* In accordance with subsection 65(1) of the *Australian Communications and Media Authority Act 2005*, other expressions in this instrument have the same meaning as in the *Radiocommunications (Interpretation) Determination 2015*, unless the contrary intention appears, including:

- Act
- EIRP
- fixed-satellite service.

- (2) In this instrument, latitude and longitude are measured with reference to the geodetic datum designated as the “Geocentric Datum of Australia (GDA94)” gazetted in the Commonwealth of Australia *Gazette* No. GN 35 on 6 September 1995.

*Note* More information on the Geodetic Datum of Australia is available from the Geoscience Australia website: <http://www.ga.gov.au>.

## 5 References to other instruments

In this instrument, unless the contrary intention appears:

- (a) a reference to any other legislative instrument is a reference to that other legislative instrument as in force from time to time; and
- (b) a reference to any other kind of instrument is a reference to that other kind of instrument as in force from time to time.

*Note 1* For references to Commonwealth Acts, see section 10 of the *Acts Interpretation Act 1901*; and see also subsection 13(1) of the *Legislation Act 2003* for the application of the *Acts Interpretation Act 1901* to legislative instruments.

*Note 2* All Commonwealth Acts and legislative instruments are registered on the Federal Register of Legislation.

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## Part 2                      Class Licence

### 6                      Class Licence

- (1) This instrument authorises a person to operate an ITS station subject to the following conditions:
- (a) the ITS station must be operated:
    - (i) on a frequency, or within a range of frequencies, greater than 5855 MHz and not greater than 5925 MHz; and
    - (ii) at a radiated power that does not exceed a maximum EIRP of 23 dBm/MHz;
  - (b) the ITS station must not be operated within 70 kilometres of the Murchison Radioastronomy Observatory located at latitude 26° 42' 15" south, longitude 116° 39' 32" east;
  - (c) the ITS station must comply with ETSI Standard EN 302 571; and
  - (d) the ITS station must comply with section 7 of this instrument.
- (2) In the event of any inconsistency, the requirements contained in subparagraphs (1)(a)(i) and (ii) take precedence over the requirements of the ETSI Standard EN 302 571.

- Note 1*    An ITS station operated under this instrument can be expected to be operating in parts of the radiofrequency spectrum used by other radiocommunications devices in the frequency range 5855 to 5875 MHz. A receiver tuned to the relevant ITS station will not be afforded protection from interference caused by these devices within this frequency range.
- Note 2*    An ITS station operated under this instrument can be expected to be operating in parts of the radiofrequency spectrum adjacent to fixed radiocommunications devices operating above 5925 MHz. A receiver tuned to a relevant ITS station operating within the frequency range 5905 to 5925 MHz will not be afforded protection from interference from fixed radiocommunications devices.
- Note 3*    An ITS station operated under this instrument can be expected to be operating in parts of the radiofrequency spectrum used by fixed-satellite service devices with an elevation angle of greater than 15 degrees. A receiver tuned to the relevant ITS station will not be afforded protection from interference caused by fixed-satellite service devices within a 1 kilometre radius from their location as recorded in the Register.
- Note 4*    An ITS station operated under this instrument can be expected to be operating in parts of the radiofrequency spectrum used by fixed-satellite service devices with an elevation angle of less than 15 degrees. A receiver tuned to the relevant ITS station will not be afforded protection from interference caused by these fixed-satellite service devices.
- Note 5*    In accordance with the requirements of international footnote reference 150 in Part 4 of the *Australian Radiofrequency Spectrum Plan 2017*, an ITS station will not be afforded protection from interference that may be caused by industrial, scientific and medical (**ISM**) applications in the ISM band 5725 MHz to 5875 MHz.
- Note 6*    The operation of a device with an external antenna, other than an antenna supplied with the device, may result in a breach of the conditions of this instrument.

## Part 3 Additional Conditions

### 7 Applicable instruments

- (1) A person must not operate an ITS station under this instrument unless the ITS station complies with each standard that applies to the ITS station, as in force from time to time.

*Note 1* The upper and lower limits of the permitted operating frequency band mentioned in subparagraph 6(1)(a)(i) apply to an ITS station, irrespective of any frequency limits specified in any applicable instrument for the transmitter.

*Note 2* If a device is labelled with the RCM under the *Radiocommunications (Compliance Labelling – Devices) Notice 2014*, it is a representation by the supplier that the device, as supplied, complies with any standard that applies to the device.

- (2) A person must not operate a transmitter, or a group of transmitters, under this Class Licence in a place accessible by the public if the electromagnetic radiation emitted by the transmitter or group of transmitters exceeds the general public exposure limits specified in the ARPANSA Standard.

*Note 1* A transmitter with an integral antenna must not be supplied unless it complies with the *Radiocommunications (Electromagnetic Radiation – Human Exposure) Standard 2014*, which adopts the exposure limits specified in the ARPANSA Standard. Subsection 7(3) has the effect that the exposure limits specified in the ARPANSA Standard must also be met by a transmitter (whether on its own or included in a group of transmitters) to which, after it is supplied, a person attaches an external antenna, located in an area accessible to the public.

*Note 2* A transmitter with a dedicated antenna (as defined in ETSI Standard EN 302 571) is equivalent to a transmitter with an integral antenna for the purposes of the ARPANSA Standard.