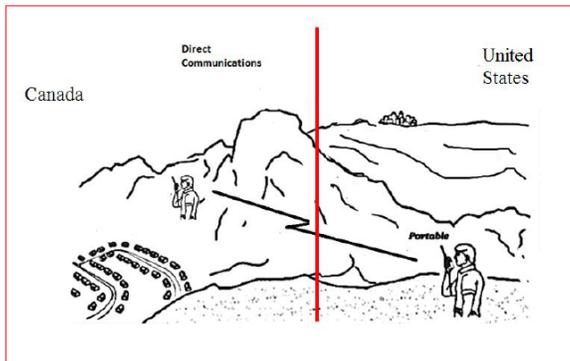




Portable and Mobile Radio Use at the U.S. Canadian International Border

When are you allowed to use your radio?

First Responders require constant access to mission critical voice and data communications and utilize their mobile and portable radios to communicate with the dispatch center and with other public safety personnel. The need for immediate voice and data access does not stop at the U.S. border with Canada. Law enforcement, fire, and EMS units in the U.S. must be able to communicate with each other and with other public safety agencies responding to the scene, including first responders from Canada. This allows emergency units to communicate with the agency they are assisting. For example, a firefighter at the scene of a wildland fire needs to communicate directly with a firefighter across the border. The message may be critical to life and safety, including an alert that the wind direction has shifted and the firefighter across the border is in extreme danger.



A treaty between the U.S. and Canada was signed in 1951 (later ratified in 1952) and allows public safety agencies to operate their mobile radios as they approach the border and to continue using their mobile radio after they have crossed into Canada. This treaty did not specifically authorize the use of portable radios and was also silent on the need for data devices.

On October 8, 2014, the U.S. Federal Communications Commission (FCC) and Industry Canada (IC) signed a letter of intent which clarifies the implementation of the treaty. Both countries have acknowledged that public safety agencies may use portable radios at the border and across the border in the other country.

The agreement includes the following statement from the Federal Communications Commission (FCC):

Furthermore, the Agencies recognize that in the April 15, 1991 Exchange of Letters between the Department of Communications (now Industry Canada) and the Federal Communications Commission, the Agencies concurred to suspend the requirement under the 1952 Convention for the registration and the issuance of a permit to terrestrial mobile radio units operating in the other country, provided such mobiles are under the control of a properly licensed terrestrial station in the country in which they are operating. Similarly, the agencies do not intend to require registration or the issuance of a permit for the operation of mobile or portable radio units by public safety licensees of either country, regardless of whether or not these radio units are under the control of a

terrestrial station in the country in which they are operating, provided such radio units are properly licensed in their country of origin.

This new agreement allows the following:

- U.S. and Canadian public safety agencies may use their portable radios as they approach and cross the border into the other country.
- The portable radio may use the local dispatch frequencies of their agency. For example, a Windsor police officer may use a portable radio communicating on City of Windsor police frequencies after entering the U.S.
- The portable radio may use frequencies licensed in the other country. For example, an Alberta Provincial ambulance may use a portable radio provided by the State of Montana to communicate on frequencies licensed by the State of Montana. This might include access to designated interoperability channels or direct access to a State of Montana local public safety frequency.
- This authorization includes portable devices that provide both voice and data services.
- This clarifies that the placement of cache radios across the border by public safety agencies from either country is authorized.
- Mobile and portable radios may be used when responding to emergencies at or across the border.

The FCC and IC have also reaffirmed their joint decision to not require the issuance of a federal permit or other authorization to a public safety radio user who needs to use their licensed frequency across the border. This permitting process was provided for in the 1952 treaty at the discretion of either country and has never been implemented.

Section 90.421 of FCC rules allows U.S. public safety agencies to grant permission for Canadian first responder units to access their radio systems. State and local public safety agencies in the U.S. who allow Canadian public safety units onto their radio channels should document their approval for such access. The State of Montana has a mutual aid radio permitting process which grants authorization for public safety agencies to access State of Montana interoperability frequencies. Other agencies across the U.S. use a form letter and some agencies grant permission in an email message.

To access a copy of the FCC order referenced in this document, or to access other cross border communications reports, please visit:

National Public Safety Telecommunications Council (NPSTC) website: <http://npstc.org/crossBorder.jsp>

Canadian Interoperability Technology Interest Group (CITIG) website: <http://www.citig.ca/cross-border.aspx>

More information is available from the U.S. Department of Homeland Security, Office of Emergency Communications. Contact them at OEC@HQ.DHS.GOV. More information is available from Public Safety Canada. Contact them at interoperability@canada.ca.