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The FCC Took Steps to Facilitate new Communications Technology for Cars

Client Alert

4.26.2023

Over twenty years ago, the Federal Communications Commission (FCC) set aside spectrum in the 5.9 GHz band for vehicle-to-vehicle and vehicle-to-roadside units communications using the Dedicated Short-Range Communications (DSRC) technology. But because DSRC was not widely deployed, and because DSRC technology was superseded by Cellular Vehicle-to-Everything (C-V2X) technology, the FCC changed its rules to allow C-V2X technology to operate in the 5.9 GHz band in lieu of DSRC technology. C-V2X technology will allow cars to communicate directly with each other, as well as with infrastructure (e.g., traffic lights) and pedestrians in order to pay tolls, avoid accidents and warn of upcoming hazards. C-V2X communications also assist in the exchange of real-time traffic and other information to enhance road safety and traffic efficiency. C-V2X communications enable the exchange of real, sensor-based data sources related to transportation. Despite these exemplar use-cases, the FCC has not yet adopted final rules that would govern C-V2X operations, and thus, operation without waiver from the FCC is not yet possible.

In order to speed deployment of this beneficial and potentially life-saving technology, two states (Utah and Virginia), three automobile manufacturers (Audi, Ford, and Jaguar Land Rover) and several communications equipment manufacturers jointly filed a waiver request with the FCC to permit C-V2X operations in the 5.9 GHz band prior to the FCC finalizing its rules for C-V2X technology. In a decision released Monday, April 24, 2023, the FCC granted that limited waiver request. The FCC determined it would be in the public interest to facilitate prompt deployment of C-V2X technology.

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The FCC limited the waiver to the two states, the three automobile manufacturers and the communications equipment manufacturers (AAEON Technology Inc., Advantech Co., Ltd., Applied Information, Inc., Cohda Wireless Pty Ltd., Commsignia, Inc., Danlaw Inc., HARMAN International Industries, Inc., Kapsch TrafficCom USA Inc., and Panasonic Corporation of North America) that had requested the waiver. In addition, in order to minimize the risk of any harmful interference to DSRC technology that had already been deployed, the FCC also restricted operations to the 5905-5925 MHz band, limited use under the waiver to “transportation and vehicle safety-related communications,” and imposed some other technical limits on those C-V2X operations. C-V2X service will not start immediately – the communications equipment will still need to go through the FCC equipment approval process – but commencement of C-V2X service should occur within months, if not weeks.

Should you have questions or comments concerning this topic, or any other inquiries, please contact the authors of this article or your Butzel attorney.

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