

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>    </u>	(Y/N)
ADOPTED AS AMENDED	<u>    </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>    </u>	(Y/N)
FAILED TO ADOPT	<u>    </u>	(Y/N)
WITHDRAWN	<u>    </u>	(Y/N)
OTHER	<u>    </u>	

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1 Committee/Subcommittee hearing bill: Commerce Committee  
 2 Representative La Rosa offered the following:

**Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Paragraph (a) of subsection (1) of section  
 7 337.401, Florida Statutes, is amended, and subsection (7) is  
 8 added to that section, to read:

9 337.401 Use of right-of-way for utilities subject to  
 10 regulation; permit; fees.—

11 (1) (a) The department and local governmental entities,  
 12 referred to in this section and in ss. 337.402, 337.403, and  
 13 337.404 as the "authority," that have jurisdiction and control  
 14 of public roads or publicly owned rail corridors are authorized  
 15 to prescribe and enforce reasonable rules or regulations with  
 16 reference to the placing and maintaining across, on, or within

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17 the right-of-way limits of any road or publicly owned rail  
18 corridors under their respective jurisdictions any electric  
19 transmission, voice ~~telephone~~, telegraph, data or other  
20 communications services lines or wireless facilities; pole  
21 lines; poles; railways; ditches; sewers; water, heat, or gas  
22 mains; pipelines; fences; gasoline tanks and pumps; or other  
23 structures referred to in this section and in ss. 337.402,  
24 337.403, and 337.404 as the "utility." The department may enter  
25 into a permit-delegation agreement with a governmental entity if  
26 issuance of a permit is based on requirements that the  
27 department finds will ensure the safety and integrity of  
28 facilities of the Department of Transportation; however, the  
29 permit-delegation agreement does not apply to facilities of  
30 electric utilities as defined in s. 366.02(2).

31 (7) (a) This subsection may be cited as the "Advanced  
32 Wireless Infrastructure Deployment Act."

33 (b) As used in this subsection, the term:

34 1. "Antenna" means communications equipment that transmits  
35 or receives electromagnetic radio frequency signals used in  
36 providing wireless services.

37 2. "Applicable codes" means uniform building, fire,  
38 electrical, plumbing, or mechanical codes adopted by a  
39 recognized national code organization or local amendments to  
40 those codes enacted solely to address threats of destruction of  
41 property or injury to persons, or local codes or ordinances

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42 adopted to implement the provisions of this subsection. The term  
43 includes objective design standards adopted by ordinance that  
44 may require that a new utility pole that replaces an existing  
45 utility pole to be of substantially similar design, material,  
46 and color or reasonable spacing requirements concerning the  
47 location of ground mounted equipment. The term includes  
48 objective design standards adopted by ordinance that may require  
49 a small wireless facility to meet reasonable location context,  
50 color, stealth, and concealment requirements; however, such  
51 design standards may be waived by the authority upon a showing  
52 that the design standards are not reasonably compatible for the  
53 particular location of a small wireless facility or that the  
54 design standards impose an excessive expense. The waiver shall  
55 be granted or denied within 45 days from the date of the  
56 request.

57 3. "Applicant" means a person who submits an application  
58 and is a wireless provider.

59 4. "Application" means a request submitted by an applicant  
60 to an authority for a permit to collocate small wireless  
61 facilities.

62 5. "Authority" means a county or municipality having  
63 jurisdiction and control of the rights-of-way of any public  
64 roads. The term does not include the Florida Department of  
65 Transportation. The Florida Department of Transportation rights-  
66 of-way are excluded from this subsection.

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67       6. "Authority utility pole" means a utility pole owned by  
68 an authority in the right-of-way. The term does not include a  
69 utility pole owned by a municipal electric utility or any  
70 utility pole used to support municipally owned or operated  
71 electric distribution facilities, or a utility pole located in  
72 the right-of-way within:

73       a. A retirement community that:

74       (I) Is deed-restricted as housing for older persons as  
75 defined in s. 760.29(4) (b);

76       (II) Has more than 5,000 residents; and

77       (III) Has underground utilities for electric transmission  
78 or distribution.

79       b. A municipality that:

80       (I) Is located on a coastal barrier island as defined in  
81 s. 161.053(b) (3);

82       (II) Has a land area of less than five square miles;

83       (III) Has less than ten thousand residents; and

84       (IV) Which has, prior to the adoption of this act,  
85 received referendum approval to issue debt to finance municipal-  
86 wide undergrounding of its utilities for electric transmission  
87 or distribution.

88       7. "Collocate" or "collocation" means to install, mount,  
89 maintain, modify, operate, or replace one or more wireless  
90 facilities on, under, within, or adjacent to a wireless support  
91 structure or utility pole. The term does not include the

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92 installation of a new utility pole or wireless support structure  
93 in the public rights-of-way.

94 8. "FCC" means the Federal Communications Commission.

95 9. "Micro wireless facility" means a small wireless  
96 facility having dimensions no larger than 24 inches in length,  
97 15 inches in width, and 12 inches in height and an exterior  
98 antenna, if any, no longer than 11 inches.

99 10. "Small wireless facility" means a wireless facility  
100 that meets the following qualifications:

101 a. Each antenna associated with the facility is located  
102 inside an enclosure of no more than 6 cubic feet in volume or,  
103 in the case of antennas that have exposed elements, each antenna  
104 and all of its exposed elements could fit within an enclosure of  
105 no more than 6 cubic feet in volume; and

106 b. All other wireless equipment associated with the  
107 facility is cumulatively no more than 28 cubic feet in volume.  
108 The following types of associated ancillary equipment are not  
109 included in the calculation of equipment volume: electric  
110 meters, concealment elements, telecommunications demarcation  
111 boxes, ground-based enclosures, grounding equipment, power  
112 transfer switches, cutoff switches, vertical cable runs for the  
113 connection of power and other services, and utility poles or  
114 other support structures.

115 11. "Utility pole" means a pole or similar structure that  
116 is used in whole or in part to provide communications services

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117 or for electric distribution, lighting, traffic control,  
118 signage, or a similar function. The term includes the vertical  
119 support structure for traffic lights but does not include any  
120 horizontal structures upon which is attached signal lights or  
121 other traffic control devices and does not include any pole or  
122 similar structure 15 feet in height or less unless an authority  
123 grants a waiver for the pole.

124 12. "Wireless facility" means equipment at a fixed  
125 location which enables wireless communications between user  
126 equipment and a communications network, including radio  
127 transceivers, antennas, wires, coaxial or fiber-optic cable or  
128 other cables, regular and backup power supplies, and comparable  
129 equipment, regardless of technological configuration, and  
130 equipment associated with wireless communications. The term  
131 includes small wireless facilities. The term does not include:

132 a. The structure or improvements on, under, within, or  
133 adjacent to the structure on which the equipment is collocated;

134 b. Wireline backhaul facilities; or

135 c. Coaxial or fiber-optic cable that is between wireless  
136 structures or utility poles or that is otherwise not immediately  
137 adjacent to or directly associated with a particular antenna.

138 13. "Wireless infrastructure provider" means a person who  
139 has been certificated to provide telecommunications service in  
140 the state and who builds or installs wireless communication

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141 transmission equipment, wireless facilities, or wireless support  
142 structures, but is not a wireless services provider.

143 14. "Wireless provider" means a wireless infrastructure  
144 provider or a wireless services provider.

145 15. "Wireless services" means any services provided using  
146 licensed or unlicensed spectrum, whether at a fixed location or  
147 mobile, using wireless facilities.

148 16. "Wireless services provider" means a person who  
149 provides wireless services.

150 17. "Wireless support structure" means a freestanding  
151 structure, such as a monopole, a guyed or self-supporting tower  
152 or another existing or proposed structure designed to support or  
153 capable of supporting wireless facilities. The term does not  
154 include a utility pole.

155 (c) Except as provided in this subsection, an authority  
156 may not prohibit, regulate, or charge for the collocation of  
157 small wireless facilities in the public rights-of-way.

158 (d) An authority may require a registration process and  
159 permit fees in accordance with subsection (3). An authority  
160 shall accept applications for permits and shall process and  
161 issue permits subject to the following requirements:

162 1. An authority may not directly or indirectly require an  
163 applicant to perform services unrelated to the collocation for  
164 which approval is sought, such as in-kind contributions to the

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165 authority, including reserving fiber, conduit, or pole space for  
166 the authority.

167 2. An applicant may not be required to provide more  
168 information to obtain a permit than is necessary to demonstrate  
169 the applicant's compliance with applicable codes for the  
170 placement of small wireless facilities in the locations  
171 identified the application.

172 3. An authority may not require the placement of small  
173 wireless facilities on any specific utility pole or category of  
174 poles or require multiple antenna systems on a single utility  
175 pole.

176 4. An authority may not limit the placement of small  
177 wireless facilities by minimum separation distances; however,  
178 within 14 days from the date of filing the application, an  
179 authority may request that the proposed location of a small  
180 wireless facility be moved to another location in the right-or-  
181 way and placed upon an alternative authority utility pole or  
182 support structure or place a new utility pole. The authority and  
183 applicant may negotiate the alternate location, including any  
184 objective design standards and reasonable spacing requirements  
185 for ground-based equipment, for 30 days from the date of the  
186 request. At the conclusion of the negotiation period, if the  
187 alternative location is accepted by the applicant, the applicant  
188 must notify the authority and the application shall be deemed  
189 granted for any new location for which there is agreement and

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190 all other locations in the application. If no agreement is  
191 reached, the applicant must notify the authority and the  
192 authority must grant or deny the original application within 90  
193 days from the date the application was filed. A request for an  
194 alternative location, an acceptance of an alternate location or  
195 any rejection of an alternative location must be in writing and  
196 provided by electronic mail.

197 5. An authority shall limit the height of a small wireless  
198 facility to no more than 10 feet above the utility pole or  
199 structure upon which the small wireless facility is to be  
200 collocated. Unless waived by an authority, the height for a new  
201 utility pole is limited to the tallest existing utility pole as  
202 of the effective date of this subsection located in the same  
203 right-of-way, other than a utility pole for which a waiver has  
204 previously been granted, measured from grade in place within 500  
205 feet of the proposed location of the small wireless facility. If  
206 there is no utility pole within 500 feet, the authority shall  
207 limit the height of the utility pole to 50 feet.

208 6. Except as provided in paragraphs 4. and 5., the  
209 installation of a utility pole in the public rights-of-way  
210 designed to support a small wireless facility shall be subject  
211 to authority rules or regulations governing the placement of  
212 utility poles in the public rights-of-way and shall be subject  
213 to the application review timeframes in this subsection.

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214 7. Within 14 days after receiving an application, an  
215 authority must determine and notify the applicant by electronic  
216 mail as to whether the application is complete. If an  
217 application is deemed incomplete, the authority must  
218 specifically identify the missing information. An application is  
219 deemed complete if the authority fails to provide notification  
220 to the applicant within 14 days.

221 8. An application must be processed on a nondiscriminatory  
222 basis. A complete application is deemed approved if an authority  
223 fails to approve or deny the application within 60 days after  
224 receipt of the application. If an authority does not utilize the  
225 30-day negotiation period provided in paragraph (d)4., the  
226 parties may mutually agree to extend the 60-day application  
227 review period. The authority shall grant or deny the application  
228 at the end of the extended period. A permit issued pursuant to  
229 an approved application shall remain effective for one year  
230 unless extended by the authority.

231 9. An authority must notify the applicant of approval or  
232 denial by electronic mail. An authority shall approve a complete  
233 application unless it does not meet the authority's applicable  
234 codes. If the application is denied, the authority must specify  
235 in writing the basis for denial, including the specific code  
236 provisions on which the denial was based, and send the  
237 documentation to the applicant by electronic mail on the day the  
238 authority denies the application. The applicant may cure the

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239 deficiencies identified by the authority and resubmit the  
240 application within 30 days after notice of the denial is sent to  
241 the applicant. The authority shall approve or deny the revised  
242 application within 30 days after receipt or the application is  
243 deemed approved. Any subsequent review shall be limited to the  
244 deficiencies cited in the denial.

245 10. An applicant seeking to collocate small wireless  
246 facilities within the jurisdiction of a single authority may, at  
247 the applicant's discretion, file a consolidated application and  
248 receive a single permit for the collocation of no more than 30  
249 small wireless facilities. If the application includes multiple  
250 small wireless facilities, an authority may remove small  
251 wireless facility collocations from the application and treat  
252 separately small wireless facility collocations for which  
253 incomplete information has been received or are denied.

254 11. An authority may deny a proposed collocation of a  
255 small wireless facility in the public rights-of-way if the  
256 proposed collocation:

257 a. Materially interferes with the safe operation of  
258 traffic control equipment.

259 b. Materially interferes with sight lines or clear zones  
260 for transportation, pedestrians, or public safety purposes.

261 c. Materially interferes with compliance with the  
262 Americans with Disability Act or similar federal or state  
263 standards regarding pedestrian access or movement.

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264 d. Materially fails to comply with the 2010 edition of the  
265 Florida Department of Transportation Utility Accommodation  
266 Manual.

267 e. Fails to comply with applicable codes.

268 12. An authority may adopt by ordinance provisions for  
269 insurance coverage, indemnification, performance bonds, security  
270 funds, force majeure, abandonment, authority liability, or  
271 authority warranties. Such provisions must be reasonable and  
272 nondiscriminatory.

273 13. Collocation of a small wireless facility on an  
274 authority utility pole shall not provide the basis for the  
275 imposition of an ad valorem tax on the authority utility pole.

276 14. An authority may reserve space on authority utility  
277 poles for future public safety uses. However, a reservation of  
278 space may not preclude collocation of a small wireless facility.

279 If replacement of the authority utility pole is necessary to  
280 accommodate the collocation of the small wireless facility and  
281 the future public safety use, the pole replacement is subject to  
282 make-ready provisions and the replaced pole shall accommodate  
283 the future public safety use.

284 15. Any structure granted a permit and installed pursuant  
285 to this subsection shall comply with ch. 333 and federal  
286 regulations pertaining to airport airspace protections.

287 (e) An authority may not require approval or require fees  
288 or other charges for:

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289 1. Routine maintenance;

290 2. Replacement of existing wireless facilities with  
291 wireless facilities that are substantially similar or of the  
292 same or smaller size; or

293 3. Installation, placement, maintenance, or replacement of  
294 micro wireless facilities that are suspended on cables strung  
295 between existing utility poles in compliance with applicable  
296 codes by or for a communications service provider authorized to  
297 occupy the rights-of-way and who is remitting taxes under  
298 chapter 202.

299  
300 However, notwithstanding this paragraph, an authority may  
301 require a right-of-way permit for work that involves excavation,  
302 closure of a sidewalk or closure of a vehicular lane.

303 (f) Collocation of small wireless facilities on authority  
304 utility poles is subject to the following requirements:

305 1. An authority may not enter into an exclusive  
306 arrangement with any person for the right to attach equipment to  
307 authority utility poles.

308 2. The rates and fees for collocations on authority  
309 utility poles must be nondiscriminatory, regardless of the  
310 services provided by the collocating person.

311 3. The rate to collocate small wireless facilities on  
312 authority utility poles may not exceed \$150 annually.

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313 4. Agreements between authorities and wireless providers  
314 that are in effect on the effective date of this subsection and  
315 that relate to the collocation of small wireless facilities in  
316 the right of way, including the collocation of small wireless  
317 facilities on authority utility poles, remain in effect, subject  
318 to applicable termination provisions. The wireless provider may  
319 accept the rates, fees, and terms established under this  
320 subsection for small wireless facilities and utility poles that  
321 are the subject of an application submitted after the rates,  
322 fees, and terms become effective.

323 5. A person owning or controlling an authority utility  
324 pole shall offer rates, fees, and other terms that comply with  
325 this subsection. By the later of January 1, 2018, or 3 months  
326 after receiving a request to collocate its first small wireless  
327 facility on a utility pole owned or controlled by an authority,  
328 the person owning or controlling the authority utility pole  
329 shall make available, through ordinance or otherwise, rates,  
330 fees, and terms for the collocation of small wireless facilities  
331 on the authority utility pole which comply with this subsection.

332 a. The rates, fees, and terms must be nondiscriminatory,  
333 competitively neutral, and must comply with this subsection.

334 b. For an authority utility pole that supports an aerial  
335 facility used to provide communications services or electric  
336 service, the parties shall comply with the process for make-  
337 ready work under 47 U.S.C. s. 224 and implementing regulations.

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338 The good faith estimate of the person owning or controlling the  
339 pole for any make-ready work necessary to enable the pole to  
340 support the requested collocation must include pole replacement  
341 if necessary.

342 c. For an authority utility pole that does not support an  
343 aerial facility used to provide communications services or  
344 electric service, the authority shall provide a good faith  
345 estimate for any make-ready work necessary to enable the pole to  
346 support the requested collocation, including necessary pole  
347 replacement, within 60 days after receipt of a complete  
348 application. Make-ready work, including any pole replacement,  
349 must be completed within 60 days after written acceptance of the  
350 good faith estimate by the applicant. Alternatively, an  
351 authority may require the applicant seeking to collocate a small  
352 wireless facility to provide a make-ready estimate at the  
353 applicant's expense for the work necessary to support the small  
354 wireless facility, including pole replacement, and perform the  
355 make-ready work. If pole replacement is required, the scope of  
356 the make-ready estimate is limited to the design, fabrication,  
357 and installation of a utility pole that is substantially similar  
358 in color and composition. The authority may not condition or  
359 restrict the manner in which the applicant obtains, develops, or  
360 provides the estimate or conducts the make-ready work subject to  
361 usual construction restoration standards for work in the right-

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362 of-way. The replaced or altered utility pole shall remain the  
363 property of the authority.

364 d. An authority may not require more make-ready work than  
365 is required to meet applicable codes or industry standards. Fees  
366 for make-ready work may not include costs related to preexisting  
367 damage or prior noncompliance. Fees for make-ready work,  
368 including any pole replacement, may not exceed actual costs or  
369 the amount charged to communications service providers other  
370 than wireless services providers for similar work and may not  
371 include any consultant fee or expense.

372 (g) For any applications filed prior to the effective date  
373 of ordinances implementing the provisions of this subsection, an  
374 authority may apply current ordinances relating to placement of  
375 communications facilities in the right-of-way related to  
376 registration, permitting, insurance coverage, indemnification,  
377 performance bonds, security funds, force majeure, abandonment,  
378 authority liability, or authority warranties. Permit application  
379 requirements and small wireless facility placement requirements  
380 including utility pole height limits that conflict with the  
381 provisions of this subsection shall be waived by the authority.

382 (h) Except as provided in this section or specifically  
383 required by state law, an authority may not adopt or enforce any  
384 regulation on the placement or operation of communications  
385 facilities in the rights-of-way by a provider authorized by  
386 state law to operate in the rights-of-way and may not regulate

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387 any communications services or impose or collect any tax, fee,  
388 or charge not specifically authorized under state law. Nothing  
389 in this paragraph is intended to change Florida law regarding an  
390 authority's ability to regulate the relocation of facilities.

391 (i) A wireless provider shall, in relation to a small  
392 wireless facility, utility pole, or wireless support structure  
393 in the public rights-of-way, comply with nondiscriminatory  
394 undergrounding requirements of the authority that prohibit above  
395 ground structures in a public rights-of-way. Any such  
396 requirements may be waived by the relevant authority.

397 (j) A wireless infrastructure provider may apply to an  
398 authority to place utility poles in the public rights-of-way to  
399 support the collocation of small wireless facilities. The  
400 application must include an attestation that small wireless  
401 facilities will be collocated on the utility pole or structure  
402 and small wireless facilities will be utilized by a wireless  
403 services provider to provide service within nine months from the  
404 date the application is granted. An authority shall accept and  
405 process the application in accordance with subparagraph (d)6.  
406 and any applicable codes and other local codes governing the  
407 placement of utility poles in the public rights-of-way.

408 (k) This subsection does not limit a local government's  
409 authority to enforce historic preservation zoning regulations  
410 consistent with the preservation of local zoning authority under  
411 47 U.S.C s. 332(c) (7), the requirements for facility

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412 modifications under 47 U.S.C. s.1455(a), or the National  
413 Historic Preservation Act of 1966, as amended, and the  
414 regulations adopted to implement these laws. An authority may  
415 enforce local codes, administrative rules, or regulations  
416 adopted by ordinance in effect on April 1, 2017, which are  
417 applicable to a historic area designated by the state or  
418 authority. An authority may enforce pending local ordinances,  
419 administrative rules, or regulations applicable to a historic  
420 area designated by the state if the intent to adopt such changes  
421 has been publicly declared on or before April 1, 2017. An  
422 authority may waive any ordinances or other requirements that  
423 are subject to this paragraph.

424 (l) This subsection does not authorize a person to  
425 collocate or attach wireless facilities, including any antenna,  
426 micro wireless facility, or small wireless facility, on a  
427 privately owned utility pole, a utility pole owned by an  
428 electric cooperative or a municipal electric utility, a  
429 privately owned wireless support structure, or other private  
430 property without the consent of the property owner.

431 (m) The approval of the installation, placement,  
432 maintenance, or operation of a small wireless facility pursuant  
433 to this subsection shall not be construed to confer  
434 authorization for the provision of any voice, data, or video  
435 communications services nor for the installation, placement,

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436 maintenance, or operation of any communications facilities other  
437 than small wireless facilities in the right-of-way.

438 (n) The provisions of this subsection do not affect the  
439 provision of subsection (6) relating to pass-through providers.

440 (o) This subsection does not authorize a person to  
441 collocate or attach small wireless facilities or micro wireless  
442 facilities on a utility pole, unless otherwise permitted by  
443 federal law, or erect a wireless support structure in the right-  
444 of-way located within a retirement community that:

445 1. Is deed-restricted as housing for older persons as  
446 defined in s. 760.29(4) (b);

447 2. Has more than 5,000 residents; and

448 3. Has underground utilities for electric transmission or  
449 distribution.

450  
451 Nothing in this paragraph applies to the installation,  
452 placement, maintenance, or replacement of micro wireless  
453 facilities on any existing and duly authorized aerial  
454 communications facilities, provided that once aerial facilities  
455 are converted to underground, any such collocation or  
456 construction shall be only as provided by the municipality's  
457 underground utilities ordinance.

458 (p) This subsection does not authorize a person to  
459 collocate or attach small wireless facilities or micro wireless  
460 facilities on a utility pole, unless otherwise permitted by

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461 federal law, or erect a wireless support structure in the right-  
462 of-way located within a municipality that:

463 1. Is located on a coastal barrier island as defined in s.  
464 161.053(1) (b) (3);

465 2. Has a land area of less than 5 square miles;

466 3. Has fewer than 10,000 residents; and

467 4. Which has, prior to the adoption of this act, received  
468 referendum approval to issue debt to finance municipal-wide  
469 undergrounding of its utilities for electric transmission or  
470 distribution.

471

472 Nothing in this paragraph applies to the installation,  
473 placement, maintenance, or replacement of micro wireless  
474 facilities on any existing and duly authorized aerial  
475 communications facilities, provided that once aerial facilities  
476 are converted to underground, any such collocation or  
477 construction shall be only as provided by the municipality's  
478 underground utilities ordinance.

479 (q) This subsection does not authorize a person to  
480 collocate small wireless facilities or micro wireless facilities  
481 on an authority utility pole or erect a wireless support  
482 structure in a location subject to covenants, conditions, and  
483 restrictions; articles of incorporation; and bylaws of a home  
484 owners association. Nothing herein applies to the installation  
485 placement, maintenance, or replacement of micro wireless

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486 facilities on any existing and duly authorized aerial  
487 communications facilities.

488 Section 2. This act shall take effect July 1, 2017.

489 -----

491 **T I T L E A M E N D M E N T**

492 Remove everything before the enacting clause and insert:

493 An act relating to utilities; amending s. 337.401, F.S.;

494 authorizing the Department of Transportation and certain local

495 governmental entities to prescribe and enforce reasonable rules

496 or regulations with reference to the placing and maintaining

497 across, on, or within the right-of-way limits of any road or

498 publicly owned rail corridors under their respective

499 jurisdictions any voice or data communications services lines or

500 wireless facilities; providing a short title; defining terms;

501 prohibiting a county or municipality having jurisdiction and

502 control of the rights-of-way of any public road, referred to as

503 the "authority," from prohibiting, regulating, or charging for

504 the collocation of small wireless facilities in public rights-

505 of-way under certain circumstances; authorizing an authority to

506 require a registration process and permit fees only under

507 certain circumstances; requiring an authority to receive and

508 process applications for permits and to issue such permits,

509 subject to specified requirements; prohibiting an authority from

510 requiring approval of or imposing fees or other charges for

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511 routine maintenance, the replacement of certain wireless  
512 facilities, or the installation, placement, maintenance, or  
513 replacement of certain micro wireless facilities; providing an  
514 exception; providing requirements for the collocation of small  
515 wireless facilities on authority utility poles; providing  
516 requirements for rates, fees, and other terms related to  
517 authority utility poles; authorizing an authority to apply  
518 current ordinances regulating placement of communications  
519 facilities in the right-of-way, including registration,  
520 permitting, insurance coverage, indemnification, performance  
521 bonds, security funds, force majeure, abandonment, authority  
522 liability, or authority warranties for certain applications;  
523 providing that certain permit application requirements and small  
524 wireless facility placement requirements shall be waived by the  
525 authority; prohibiting an authority from adopting or enforcing  
526 any regulation on the placement or operation of certain  
527 communications facilities, from regulating any communications  
528 services, or from imposing or collecting any tax, fee, or charge  
529 not specifically authorized under state law; providing  
530 construction; requiring a wireless provider to comply with  
531 certain nondiscriminatory undergrounding requirements of the  
532 authority; authorizing the authority to waive any such  
533 requirements; authorizing a wireless infrastructure provider to  
534 apply to an authority to place utility poles in the public  
535 rights-of-way to support the collocation of small wireless

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536 facilities; providing requirements for such application;  
537 requiring the authority to accept and process the application,  
538 subject to certain requirements; providing construction;  
539 authorizing an authority to enforce local codes, administrative  
540 rules, or regulations that are applicable to a historic area  
541 designated by the state or authority, subject to waiver by the  
542 authority; authorizing an authority to enforce pending local  
543 ordinances, administrative rules, or regulations that are  
544 applicable to a historic area designated by the state if intent  
545 to adopt such changes has been publicly declared by a specified  
546 date, subject to waiver by the authority; providing an effective  
547 date.