

2019 CHANGES TO STATE COMMUNICATIONS LAW

- 1. PROHIBITS ADOPTION OR ENFORCEMENT OF LOCAL REGULATION OF OR IMPOSITION OF FEES UPON THE PLACEMENT OR OPERATION OF COMMUNICATION FACILITIES IN PUBLIC RIGHT OF WAY.**
- 2. PROHIBITS REGISTRATION OR RENEWAL OF REGISTRATION FEES.**
- 3. REQUIRES THAT CITIES SEND AT LEAST 60 DAYS' ADVANCE WRITTEN NOTICE TO PROVIDERS BEFORE MAKING ANY CHANGES TO THE RULES OR REGULATIONS.**
- 4. PROVIDES FOR 30 DAY SUSPENDED ENFORCEMENT OF ORDINANCE IF 10 DAY ADVANCE NOTICE PRIOR TO FIRST READING NOT PROVIDED TO PROVIDERS.**
- 5. REQUIRES ALL WORK PERFORMED TO COMPLY WITH 2017 FDOT UTILITY ACCOMMODATION MANUAL.**
- 6. REQUIRES LOCAL GOVERNMENTS TO ACCOUNT FOR DISTINCT ENGINEERING, CONSTRUCTION, OPERATION, MAINTENANCE, PUBLIC WORKS AND SAFETY REQUIREMENTS OF EACH PROVIDER'S FACILITIES WHEN IMPOSING REGULATIONS ON ROWS.**
- 7. LIMITS INFORMATION THAT MAY BE REQUIRED OF REGISTRANTS TO THAT SPECIFIED IN STATUTE.**
- 8. PROHIBITS RENEWAL REQUIREMENTS OF LESS THAN 5 YEARS.**
- 9. PROHIBITS LOCAL GOVERNMENTS FROM REQUIRING PERMITS FOR OR ASSESSING FEES FOR MAINTENANCE, REPAIR, REPLACEMENT, EXTENSION, OR UPGRADE OF EXISTING AERIAL WIRELINE COMMUNICATIONS FACILITIES ON OR BETWEEN EXISTING UTILITY POLES BY PROVIDER.**
- 10. REQUIRES ALL PERMIT APPLICATIONS FOR PLACEMENT OF COMMUNICATIONS FACILITIES TO BE PROCESSED WITHIN THE TIMEFRAMES FOR SMALL WIRELESS FACILITIES.**
- 11. LOCAL GOVERNMENTS MAY REQUIRE WIRELESS PROVIDERS TO COMPLY WITH OBJECTIVE DESIGN STANDARDS ESTABLISHED BY ORDINANCE, WITH CERTAIN EXCEPTIONS.**
- 12. EXPANDS THE PROHIBITION OF REGULATING SMALL WIRELESS FACILITIES TO INCLUDE REGULATING THE INSTALLATION OF NEW**

UTILITY POLES USED FOR COLLOCATION OF SMALL WIRELESS FACILITIES IN THE PUBLIC RIGHTS OF WAY EXCEPT AS SPECIFIED.

- 13. PROHIBITS INSTITUTION OF MORATORIUM THAT WOULD DELAY ISSUANCE OF PERMITS.**
- 14. PROHIBITS REQUIRING A DEMONSTRATION THAT COLLOCATION OF AN SMALL WIRELESS FACILITY ON AN EXISTING STRUCTURE IS NOT LEGALLY OR TECHNICALLY POSSIBLE AS A CONDITION FOR GRANTING A PERMIT FOR THE COLLOCATION OF THE SMALL WIRELESS FACILITY ON A NEW UTILITY POLE.**
- 15. PROHIBITS REQUIRING, FOR AN SWF OR NEW UTILITY POLE, SUPPORTING AN SWF LOCATED IN ROW CONTROLLED BY THE DEPARTMENT OF TRANSPORTATION (DOT), COMPLIANCE WITH LOCAL GOVERNMENT RULES AND REGULATIONS ABSENT A DELEGATION FROM DOT, OR REQUIRE SUCH COMPLIANCE AS A CONDITION TO RECEIVE A PERMIT THAT IS ANCILLARY TO THE PERMIT FOR COLLOCATION OF A SMALL WIRELESS FACILITY, INCLUDING AN ELECTRICAL PERMIT.**
- 16. PROHIBITS REQUIRING A PREAPPLICATION MEETING.**
- 17. PROHIBITS REQUIRING DIRECT OR INDIRECT PUBLIC NOTIFICATION OR A PUBLIC MEETING FOR THE PLACEMENT OF COMMUNICATION FACILITIES IN THE PUBLIC ROW.**
- 18. PROHIBITS LIMITING THE SIZE OR CONFIGURATION OF AN SWF OR ANY OF ITS COMPONENTS, IF THE SWF COMPLIES WITH THE STATED SIZE LIMITS.**
- 19. PROHIBITS THE ABSOLUTE PROHIBITION OF THE INSTALLATION OF A NEW UTILITY POLE USED TO SUPPORT THE COLLOCATION OF A SMALL WIRELESS FACILITY IF THE INSTALLATION OTHERWISE MEETS THE REQUIREMENTS OF THE S. 337.401(7), F.S.**
- 20. PROHIBITS LOCAL GOVERNMENTS FROM REQUIRING PERFORMANCE BONDS AND SECURITY FUNDS.**
- 21. LIMITS THE TERMS OF CONSTRUCTION BONDS THAT LOCAL GOVERNMENTS MAY REQUIRE.**
- 22. REQUIRES LOCAL GOVERNMENTS TO ACCEPT LETTERS OF CREDIT OR SIMILAR FINANCIAL INSTRUMENTS.**

- 23. LIMITS SCOPE OF INDEMNITY THAT LOCAL GOVERNMENTS MAY REQUIRE.**
- 24. PROHIBITS REQUIRING THAT ANY COMPONENT OF AN SWF BE PLACED UNDERGROUND, EXCEPT AS PROVIDED BY THE BILL.**
- 25. ALLOWS A PROVIDER WHO INSTALLS MICRO WIRELESS FACILITIES TO PROVIDE A ONE-TIME LETTER ATTESTING THAT SUCH FACILITIES COMPLY WITH STATUTORY LIMITATIONS ON THE DIMENSIONS.**
- 26. PROHIBITS APPLICATION FEES FOR SERVICE RESTORATION WORK ON EXISTING FACILITIES, EXTENSIONS OF EXISTING FACILITIES FOR PROVIDING COMMUNICATIONS SERVICES TO CUSTOMERS AND PLACEMENT OF MICRO WIRELESS FACILITIES SUSPENDED ON CABLE BETWEEN EXISTING UTILITY POLES.**
- 27. PERMITS LIMITED OBJECTIVE DESIGN STANDARDS FOR SMALL WIRELESS FACILITIES.**
- 28. AUTHORIZES PROHIBITION OF NEW UTILITY POLES IN CITIES THAT MANDATE UNDERGROUNDING OF ALL PUBLIC UTILITIES LINES**
- 29. CREATES CAUSE OF ACTION IN FEDERAL OR STATE COURT (§337.401(8),FS) BASED UPON A “VIOLATION OF THIS SECTION” AND PERMITS A RECOVERY OF FULL COSTS, INCLUDING AWARDED REASONABLE ATTORNEY FEES, TO THE PARTY WHO PREVAILS.**
- 30. PROHIBITS DELAYS FOR OTHER PERMITTING IN ROW.**

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