

HOUSE BILL 1177

L6

9lr2612

By: **Delegate Boteler**

Introduced and read first time: February 8, 2019

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Local Governments – Regulation of Amateur Radio Station Antenna Structures**

3 FOR the purpose of declaring the intent of the General Assembly; establishing certain
4 requirements that apply to a county or municipal ordinance regulating amateur
5radio station antenna structures; providing for the application of this Act; defining a
6certain term; and generally relating to county or municipal regulation of amateur
7radio station antenna structures.

8 BY adding to

9 Article – Local Government

10 Section 1–1313

11 Annotated Code of Maryland

12 (2013 Volume and 2018 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That the Laws of Maryland read as follows:

15 **Article – Local Government**

16 **1–1313.**

17 (A) IN THIS SECTION, “AMATEUR RADIO” MEANS THE USE OF A RADIO
18 FREQUENCY SPECTRUM FOR PURPOSES OF NONCOMMERCIAL EXCHANGE OF
19 MESSAGES, WIRELESS EXPERIMENTATION, SELF–TRAINING, PRIVATE RECREATION,
20 RADIOSPORT, CONTESTING, AND EMERGENCY COMMUNICATION BY A DULY
21 AUTHORIZED PERSON INTERESTED IN RADIOELECTRIC PRACTICE WITH A PURELY
22 PERSONAL AIM AND WITHOUT PECUNIARY INTEREST.

23 (B) THIS SECTION APPLIES TO ALL COUNTIES AND MUNICIPALITIES.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(C) IT IS THE INTENT OF THE GENERAL ASSEMBLY TO CODIFY THE**
2 **PROVISIONS OF SECTION 97.15 OF TITLE 47 OF THE CODE OF FEDERAL**
3 **REGULATIONS CONCERNING THE FEDERAL COMMUNICATIONS COMMISSION'S**
4 **PREEMPTION OF LOCAL ORDINANCES REGULATING AMATEUR RADIO STATION**
5 **ANTENNA STRUCTURES.**

6 **(D) A COUNTY OR MUNICIPAL ORDINANCE REGULATING AMATEUR RADIO**
7 **STATION ANTENNA STRUCTURES:**

8 **(1) MAY NOT PRECLUDE AMATEUR RADIO COMMUNICATIONS;**

9 **(2) SHALL REASONABLY ACCOMMODATE AMATEUR RADIO**
10 **COMMUNICATIONS; AND**

11 **(3) SHALL CONSTITUTE THE MINIMUM PRACTICABLE REGULATION**
12 **TO ACCOMPLISH THE LEGITIMATE PURPOSE OF THE ORDINANCE.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2019.