HOUSE BILL 1177

By: Delegate Boteler
Introduced and read first time: February 8, 2019
Assigned to: Environment and Transportation

A BILL ENTITLED

AN ACT concerning

Local Governments – Regulation of Amateur Radio Station Antenna Structures

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

BY adding to
Article – Local Government
Section 1–1313
Annotated Code of Maryland
(2013 Volume and 2018 Supplement)

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

Article – Local Government

1–1313.

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law.
(C) IT IS THE INTENT OF THE GENERAL ASSEMBLY TO CODIFY THE
PROVISIONS OF SECTION 97.15 OF TITLE 47 OF THE CODE OF FEDERAL
REGULATIONS CONCERNING THE FEDERAL COMMUNICATIONS COMMISSION’S
PREEMPTION OF LOCAL ORDINANCES REGULATING AMATEUR RADIO STATION
ANTENNA STRUCTURES.

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

(1) MAY NOT PRECLUDE AMATEUR RADIO COMMUNICATIONS;

(2) SHALL REASONABLY ACCOMMODATE AMATEUR RADIO
COMMUNICATIONS; AND

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

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