

AN ACT
RELATING TO RADIO COMMUNICATIONS; PROVIDING FOR LIMITS ON
REGULATION OF AMATEUR RADIO ANTENNAS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. AMATEUR RADIO ANTENNAS--LIMIT ON
REGULATIONS. --

A. Amateur radio antenna towers constructed prior to the effective date of this section are exempted from subsequent changes in zoning regulations by the municipality or county and may be repaired as required.

B. A municipality or county should reasonably accommodate amateur radio service communications by allowing antenna structures to be erected at heights and dimensions sufficient to accommodate amateur radio service communications, but a municipality or county may regulate amateur radio antennas by requiring amateur radio antennas or support structures to meet screening, setback and placement, construction and health and safety standards. However, the regulation should constitute the minimum practicable regulation to accomplish the local municipality's or county's purpose.

C. As used in this section, "amateur radio antenna" means an antenna structure operated by a federally licensed amateur radio operator for amateur radio activities

and does not mean citizens band or commercial antennas.

Section 2. EFFECTIVE DATE. --The effective date of the provisions of this act is July 1, 2002. _____