

HOUSE GOVERNMENT AND URBAN AFFAIRS COMMITTEE SUBSTITUTE FOR
HOUSE BILL 314

45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002

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

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underscored material = new
[bracketed material] = delete

1 amateur radio antennas by requiring amateur radio antennas or
2 support structures to meet screening, setback and placement,
3 construction and health and safety standards. However, the
4 regulation should constitute the minimum practicable
5 regulation to accomplish the local municipality's or county's
6 purpose.

7 C. As used in this section, "amateur radio
8 antenna" means an antenna structure operated by a federally
9 licensed amateur radio operator for amateur radio activities
10 and does not mean citizens band or commercial antennas.

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