



219028

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/19/2017	.	
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The Committee on Rules (Hutson) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Paragraph (a) of subsection (1) of section  
337.401, Florida Statutes, is amended, and subsection (7) is  
added to that section, to read:

337.401 Use of right-of-way for utilities subject to  
regulation; permit; fees.—

(1) (a) The department and local governmental entities,  
referred to in this section and in ss. 337.402, 337.403, and



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12 337.404 as the "authority," that have jurisdiction and control  
13 of public roads or publicly owned rail corridors are authorized  
14 to prescribe and enforce reasonable rules or regulations with  
15 reference to the placing and maintaining across, on, or within  
16 the right-of-way limits of any road or publicly owned rail  
17 corridors under their respective jurisdictions any electric  
18 transmission, voice telephone, telegraph, data, or other  
19 communications services lines or wireless facilities; pole  
20 lines; poles; railways; ditches; sewers; water, heat, or gas  
21 mains; pipelines; fences; gasoline tanks and pumps; or other  
22 structures referred to in this section and in ss. 337.402,  
23 337.403, and 337.404 as the "utility." The department may enter  
24 into a permit-delegation agreement with a governmental entity if  
25 issuance of a permit is based on requirements that the  
26 department finds will ensure the safety and integrity of  
27 facilities of the Department of Transportation; however, the  
28 permit-delegation agreement does not apply to facilities of  
29 electric utilities as defined in s. 366.02(2).

30 (7) (a) This subsection may be cited as the "Advanced  
31 Wireless Infrastructure Deployment Act."

32 (b) As used in this subsection, the term:

33 1. "Antenna" means communications equipment that transmits  
34 or receives electromagnetic radio frequency signals used in  
35 providing wireless services.

36 2. "Applicable codes" means uniform building, fire,  
37 electrical, plumbing, or mechanical codes adopted by a  
38 recognized national code organization or local amendments to  
39 those codes enacted solely to address threats of destruction of  
40 property or injury to persons, or local codes or ordinances



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41 adopted to implement this subsection. The term includes  
42 objective design standards adopted by ordinance which may  
43 require that a new utility pole replacing an existing utility  
44 pole be of substantially similar design, material, and color, or  
45 that ground-mounted equipment meet reasonable spacing  
46 requirements. The term includes objective design standards  
47 adopted by ordinance which may require a small wireless facility  
48 to meet reasonable location context, color, stealth, and  
49 concealment requirements; however, the authority may waive the  
50 design standards upon a showing that the design standards are  
51 not reasonably compatible for the particular location of a small  
52 wireless facility or that the design standards impose an  
53 excessive expense. The waiver must be granted or denied within  
54 45 days after the date of the waiver request or it is deemed  
55 granted.

56 3. "Applicant" means a person who submits an application  
57 and is a wireless provider.

58 4. "Application" means a request submitted by an applicant  
59 to an authority for a permit to collocate small wireless  
60 facilities.

61 5. "Authority" means a county or municipality having  
62 jurisdiction and control of the rights-of-way of any public  
63 roads. The term does not include the Florida Department of  
64 Transportation. The Florida Department of Transportation rights-  
65 of-way are excluded from this subsection.

66 6. "Authority utility pole" means a utility pole owned by  
67 an authority in the right-of-way. The term does not include a  
68 utility pole owned by a municipal electric utility or any  
69 utility pole used to support municipally owned or operated



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70 electric distribution facilities, or a utility pole located in  
71 the right-of-way within:

72 a. A retirement community that:

73 (I) Is deed-restricted as housing for older persons as  
74 defined in s. 760.29(4) (b);

75 (II) Has more than 5,000 residents; and

76 (III) Has underground utilities for electric transmission  
77 or distribution.

78 b. A municipality that:

79 (I) Is located on a coastal barrier island as defined in s.  
80 161.053(1) (b) (3);

81 (II) Has a land area of less than 5 square miles;

82 (III) Has fewer than 10,000 residents; and

83 (IV) Which has, before the adoption of this act, received  
84 referendum approval to issue debt to finance municipality-wide  
85 underground utilities for electric transmission or distribution.

86 7. "Collocate" or "collocation" means to install, mount,  
87 maintain, modify, operate, or replace one or more wireless  
88 facilities on, under, within, or adjacent to a wireless support  
89 structure or utility pole. The term does not include the  
90 installation of a utility pole or wireless support structure in  
91 the public rights-of-way.

92 8. "FCC" means the Federal Communications Commission.

93 9. "Micro wireless facility" means a small wireless  
94 facility having dimensions no larger than 24 inches in length,  
95 15 inches in width, and 12 inches in height and an exterior  
96 antenna, if any, no longer than 11 inches.

97 10. "Small wireless facility" means a wireless facility  
98 that meets the following qualifications:



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99           a. Each antenna associated with the facility is located  
100 inside an enclosure of no more than 6 cubic feet in volume or,  
101 in the case of antennas that have exposed elements, each antenna  
102 and all of its exposed elements could fit within an enclosure of  
103 no more than 6 cubic feet in volume; and

104           b. All other wireless equipment associated with the  
105 facility is cumulatively no more than 28 cubic feet in volume.  
106 The following types of associated ancillary equipment are not  
107 included in the calculation of equipment volume: electric  
108 meters, concealment elements, telecommunications demarcation  
109 boxes, ground-based enclosures, grounding equipment, power  
110 transfer switches, cutoff switches, vertical cable runs for the  
111 connection of power and other services, and utility poles or  
112 other support structures.

113           11. "Utility pole" means a pole or similar structure used  
114 in whole or in part to provide communications services or for  
115 electric distribution, lighting, traffic control, signage, or a  
116 similar function. The term includes the vertical support  
117 structure for traffic lights, but does not include any  
118 horizontal structures upon which are attached signal lights or  
119 other traffic control devices and does not include any pole or  
120 similar structure 15 feet in height or less unless an authority  
121 grants a waiver for the pole.

122           12. "Wireless facility" means equipment at a fixed location  
123 which enables wireless communications between user equipment and  
124 a communications network, including radio transceivers,  
125 antennas, wires, coaxial or fiber-optic cable or other cables,  
126 regular and backup power supplies, and comparable equipment,  
127 regardless of technological configuration, and equipment



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128 associated with wireless communications. The term includes small  
129 wireless facilities. The term does not include:

130 a. The structure or improvements on, under, within, or  
131 adjacent to the structure on which the equipment is collocated;

132 b. Wireline backhaul facilities; or

133 c. Coaxial or fiber-optic cable that is between wireless  
134 structures or utility poles or that is otherwise not immediately  
135 adjacent to or directly associated with a particular antenna.

136 13. "Wireless infrastructure provider" means a person who  
137 is certificated to provide telecommunications service in the  
138 state and who builds or installs wireless communication  
139 transmission equipment, wireless facilities, or wireless support  
140 structures, but is not a wireless services provider.

141 14. "Wireless provider" means a wireless infrastructure  
142 provider or a wireless services provider.

143 15. "Wireless services" means any services provided using  
144 licensed or unlicensed spectrum, whether at a fixed location or  
145 mobile, using wireless facilities.

146 16. "Wireless services provider" means a person who  
147 provides wireless services.

148 17. "Wireless support structure" means a freestanding  
149 structure, such as a monopole, a guyed or self-supporting tower  
150 or another existing or proposed structure designed to support or  
151 capable of supporting wireless facilities. The term does not  
152 include a utility pole.

153 (c) Except as provided in this subsection, an authority may  
154 not prohibit, regulate, or charge for the collocation of small  
155 wireless facilities in the public rights-of-way.

156 (d) An authority may require a registration process and



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157 permit fees in accordance with subsection (3). An authority  
158 shall accept applications for permits and shall process and  
159 issue permits subject to the following requirements:

160 1. An authority may not directly or indirectly require an  
161 applicant to perform services unrelated to the collocation for  
162 which approval is sought, such as in-kind contributions to the  
163 authority, including reserving fiber, conduit, or pole space for  
164 the authority.

165 2. An applicant may not be required to provide more  
166 information to obtain a permit than is necessary to demonstrate  
167 the applicant's compliance with applicable codes for the  
168 placement of small wireless facilities in the locations  
169 identified in the application.

170 3. An authority may not require the placement of small  
171 wireless facilities on any specific utility pole or category of  
172 poles or require multiple antenna systems on a single utility  
173 pole.

174 4. An authority may not limit the placement of small  
175 wireless facilities by minimum separation distances; however,  
176 within 14 days from the date of filing the application, an  
177 authority may request that the proposed location of a small  
178 wireless facility be moved to another location in the right-of-  
179 way and placed upon an alternative authority utility pole or  
180 support structure or placed upon a new utility pole. The  
181 authority and applicant may negotiate the alternate location,  
182 including any objective design standards, for 30 days from the  
183 date of the request. At the conclusion of the negotiation  
184 period, if the applicant accepts the alternative location, the  
185 applicant must notify the authority and the application shall be



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186 deemed granted for any new location for which there is agreement  
187 and all other locations in the application. If no agreement is  
188 reached, the applicant must notify the authority and the  
189 authority must grant or deny the original application within 90  
190 days from the date the application was filed. A request for an  
191 alternative location, an acceptance of an alternate location, or  
192 any rejection of an alternative location must be in writing and  
193 provided by electronic mail.

194 5. An authority may limit the height of a small wireless  
195 facility to no more than 10 feet above the utility pole or  
196 structure upon which the small wireless facility is to be  
197 collocated. Unless waived by an authority, the height for a new  
198 utility pole may be limited to the tallest existing utility pole  
199 located in the right-of-way, measured from grade in place within  
200 500 feet of the proposed location of the small wireless  
201 facility. If there is no utility pole within 500 feet, the  
202 authority may limit the height of the utility pole to no more  
203 than 50 feet.

204 6. Except as provided in subparagraphs 4. and 5., the  
205 installation of a utility pole in the public rights-of-way  
206 designed to support a small wireless facility is subject to  
207 authority rules or regulations governing the placement of  
208 utility poles in the public rights-of-way and is subject to the  
209 application review timeframes in in this subsection.

210 7. Within 14 days after receiving an application, an  
211 authority must determine and notify the applicant by electronic  
212 mail as to whether the application is complete. If an  
213 application is deemed incomplete, the authority must  
214 specifically identify the missing information. An application is





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215 deemed complete if the authority fails to provide notification  
216 to the applicant within 14 days or when all documents,  
217 information, and fees specifically enumerated in the authority's  
218 permit application form are submitted by the applicant to the  
219 authority.

220 8. An application must be processed on a nondiscriminatory  
221 basis. A complete application is deemed approved if an authority  
222 fails to approve or deny the application within 60 days after  
223 receipt of the application. If an authority does not use the 30-  
224 day negotiation period provided in subparagraph 4., the parties  
225 may mutually agree to extend the 60-day application review  
226 period. The authority must grant or deny the application at the  
227 end of the extended period. A permit issued pursuant to an  
228 approved application remains effective for 1 year unless  
229 extended by the authority.

230 9. An authority must notify the applicant of approval or  
231 denial by electronic mail. An authority must approve a complete  
232 application unless it does not meet the authority's applicable  
233 codes. If the application is denied, the authority must specify  
234 in writing the basis for denial, including the specific code  
235 provisions on which the denial was based, and send the  
236 documentation to the applicant by electronic mail on the day the  
237 authority denies the application. The applicant may cure the  
238 deficiencies identified by the authority and resubmit the  
239 application within 30 days after notice of the denial is sent to  
240 the applicant. The authority must approve or deny the revised  
241 application within 30 days after receipt or the application is  
242 deemed approved. Any subsequent review shall be limited to the  
243 deficiencies cited in the denial.



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244       10. An applicant seeking to collocate small wireless  
245 facilities within the jurisdiction of a single authority may, at  
246 the applicant's discretion, file a consolidated application and  
247 receive a single permit for the collocation of no more than 30  
248 small wireless facilities. If the application includes multiple  
249 small wireless facilities, an authority may remove small  
250 wireless facility collocations from the application and treat  
251 separately small wireless facility collocations for which  
252 incomplete information has been received or which are denied.

253       11. An authority may deny a proposed collocation of a small  
254 wireless facility in the public rights-of-way if the proposed  
255 collocation:

256       a. Materially interferes with the safe operation of traffic  
257 control equipment.

258       b. Materially interferes with sight lines or clear zones  
259 for transportation, pedestrians, or public safety purposes.

260       c. Materially interferes with compliance with the Americans  
261 with Disabilities Act or similar federal or state standards  
262 regarding pedestrian access or movement.

263       d. Materially fails to comply with the 2010 edition of the  
264 Florida Department of Transportation Utility Accommodation  
265 Manual.

266       e. Materially fails to comply with applicable codes.

267       12. An authority may adopt by ordinance provisions for  
268 registration, permitting, insurance coverage, indemnification,  
269 performance bonds, security funds, force majeure, abandonment,  
270 authority liability, or authority warranties. Such provisions  
271 must be reasonable and nondiscriminatory.

272       13. Collocation of a small wireless facility on an



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273 authority utility pole may not provide the basis for the  
274 imposition of an ad valorem tax on the authority utility pole.

275 14. An authority may reserve space on authority utility  
276 poles for future public safety uses. However, a reservation of  
277 space may not preclude collocation of a small wireless facility.  
278 If replacement of the authority utility pole is necessary to  
279 accommodate the collocation of the small wireless facility and  
280 the future public safety use, the pole replacement is subject to  
281 make-ready provisions and the replaced pole shall accommodate  
282 the future public safety use.

283 15. Any structure granted a permit and installed pursuant  
284 to this subsection must comply with chapter 333 and federal  
285 regulations pertaining to airport airspace protections.

286 (e) An authority may not require approval of or impose fees  
287 or other charges for:

288 1. Routine maintenance;

289 2. Replacement of existing wireless facilities with  
290 wireless facilities that are substantially similar or of the  
291 same or smaller size; or

292 3. Installation, placement, maintenance, or replacement of  
293 micro wireless facilities suspended on cables strung between  
294 existing utility poles in compliance with applicable codes by a  
295 communications service provider authorized to occupy the rights-  
296 of-way and who is remitting taxes under chapter 202.

297  
298 However, notwithstanding this paragraph, an authority may  
299 require a right-of-way permit for work that involves excavation,  
300 closing a sidewalk, or closing a vehicular lane.

301 (f) Collocation of small wireless facilities on authority



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302 utility poles is subject to the following requirements:

303 1. An authority may not enter into an exclusive arrangement  
304 with any person for the right to attach equipment to authority  
305 utility poles.

306 2. The rates and fees for collocations on authority utility  
307 poles must be nondiscriminatory, regardless of the services  
308 provided by the collocating person.

309 3. The rate to collocate small wireless facilities on  
310 authority utility poles may not exceed \$100 per year.

311 4. Agreements between authorities and wireless providers  
312 which are in effect on July 1, 2017, and which relate to the  
313 collocation of small wireless facilities in the right-of-way,  
314 including the collocation of small wireless facilities on  
315 authority utility poles, remain in effect, subject to applicable  
316 termination provisions. The wireless provider may accept the  
317 rates, fees, and terms established under this subsection for  
318 small wireless facilities and utility poles that are the subject  
319 of an application submitted after the rates, fees, and terms  
320 become effective.

321 5. A person owning or controlling an authority utility pole  
322 shall offer rates, fees, and other terms that comply with this  
323 subsection. By the later of January 1, 2018, or 3 months after  
324 receiving a request to collocate its first small wireless  
325 facility on a utility pole owned or controlled by an authority,  
326 the person owning or controlling the authority utility pole  
327 shall make available, through ordinance or otherwise, rates,  
328 fees, and terms for the collocation of small wireless facilities  
329 on the authority utility pole which comply with this subsection.

330 a. The rates, fees, and terms must be nondiscriminatory,



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331 competitively neutral, and must comply with this subsection.

332 b. For an authority utility pole that supports an aerial  
333 facility used to provide communications services or electric  
334 service, the parties shall comply with the process for make-  
335 ready work under 47 U.S.C. s. 224 and implementing regulations.  
336 The good faith estimate of the person owning or controlling the  
337 pole for any make-ready work necessary to enable the pole to  
338 support the requested collocation must include pole replacement  
339 if necessary.

340 c. For an authority utility pole that does not support an  
341 aerial facility used to provide communications services or  
342 electric service, the authority shall provide a good faith  
343 estimate for any make-ready work necessary to enable the pole to  
344 support the requested collocation, including necessary pole  
345 replacement, within 60 days after receipt of a complete  
346 application. Make-ready work, including any pole replacement,  
347 must be completed within 60 days after written acceptance of the  
348 good faith estimate by the applicant. Alternatively, an  
349 authority may require the applicant seeking to collocate a small  
350 wireless facility to provide a make-ready estimate at the  
351 applicant's expense for the work necessary to support the small  
352 wireless facility, including pole replacement, and to perform  
353 the make-ready work. If pole replacement is required, the scope  
354 of the make-ready estimate is limited to the design,  
355 fabrication, and installation of a utility pole that is  
356 substantially similar in color and composition. The authority  
357 may not impose conditions on or restrict the manner in which the  
358 applicant obtains, develops, or provides the estimate or  
359 conducts the make-ready work subject to usual construction



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360 restoration standards for work in the right-of-way. The replaced  
361 or altered utility pole shall remain the property of the  
362 authority.

363 d. An authority may not require more make-ready work than  
364 is required to meet applicable codes or industry standards. Fees  
365 for make-ready work may not include costs related to preexisting  
366 damage or prior noncompliance. Fees for make-ready work,  
367 including any pole replacement, may not exceed actual costs or  
368 the amount charged to communications service providers other  
369 than wireless services providers for similar work and may not  
370 include any consultant fee or expense.

371 (g) For any applications filed before the effective dates  
372 of ordinances implementing this subsection, an authority may  
373 apply current ordinances regulating the placement of  
374 communications facilities in the right-of-way, including  
375 registration, permitting, insurance coverage, indemnification,  
376 performance bonds, security funds, force majeure, abandonment,  
377 authority liability, or authority warranties. Permit application  
378 requirements and small wireless facility placement requirements,  
379 including utility pole height limits, which conflict with this  
380 subsection shall be waived by the authority.

381 (h) Except as provided in this section or specifically  
382 required by state law, an authority may not adopt or enforce any  
383 regulation on the placement or operation of communications  
384 facilities in the rights-of-way by a provider authorized by  
385 state law to operate in the rights-of-way and may not regulate  
386 any communications services or impose or collect any tax, fee,  
387 or charge not specifically authorized under state law.

388 (i) A wireless provider shall, in relation to a small



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389 wireless facility, utility pole, or wireless support structure  
390 in the public rights-of-way, comply with nondiscriminatory  
391 undergrounding requirements of the authority which prohibit  
392 above-ground structures in public rights-of-way. Any such  
393 requirements may be waived by the relevant authority.

394 (j) A wireless infrastructure provider may apply to an  
395 authority to place utility poles in the public rights-of-way to  
396 support the collocation of small wireless facilities. The  
397 application must include an attestation that small wireless  
398 facilities will be collocated on the utility pole or structure  
399 and small wireless facilities will be used by a wireless  
400 services provider to provide service within 9 months from the  
401 date the application is granted. An authority shall accept and  
402 process the application in accordance with subparagraph (7) (d) 6.  
403 and any applicable codes and other local codes governing the  
404 placement of utility poles in the public rights-of-way.

405 (k) This subsection does not limit a local government's  
406 authority to enforce historic preservation zoning regulations  
407 consistent with the preservation of local zoning authority under  
408 47 U.S.C s. 332(c) (7), the requirements for facility  
409 modifications under 47 U.S.C. s. 1455(a), or the National  
410 Historic Preservation Act of 1966, as amended, and the  
411 regulations adopted to implement these laws. An authority may  
412 enforce local codes adopted by ordinance in effect on April 1,  
413 2017, which are applicable to a historic area designated by the  
414 state or authority and subject to waiver by the authority.

415 (l) This subsection does not authorize a person to  
416 collocate or attach wireless facilities, including any antenna,  
417 micro wireless facility, or small wireless facility, on a



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418 privately owned utility pole, a utility pole owned by an  
419 electric cooperative or a municipal electric utility, a  
420 privately owned wireless support structure, or other private  
421 property without the consent of the property owner.

422 (m) The approval of the installation, placement,  
423 maintenance, or operation of a small wireless facility pursuant  
424 to this subsection may not be construed to authorize the  
425 provision of any voice, data, or video communications services  
426 or the installation, placement, maintenance, or operation of any  
427 communications facilities other than small wireless facilities  
428 in the right-of-way.

429 (n) This subsection does not affect the provisions of  
430 subsection (6) relating to pass-through providers.

431 (o) This subsection does not authorize a person to  
432 collocate or attach small wireless facilities or micro wireless  
433 facilities on a utility pole unless otherwise permitted by  
434 federal law, or to erect a wireless support structure in the  
435 right-of-way located within a retirement community that:

436 1. Is deed-restricted as housing for older persons as  
437 defined in s. 760.29(4) (b);

438 2. Has more than 5,000 residents; and

439 3. Has underground utilities for electric transmission or  
440 distribution.

441  
442 Nothing in this paragraph applies to the installation of micro  
443 wireless facilities on any existing and duly authorized aerial  
444 communications facilities, provided that once aerial facilities  
445 are converted to underground, any such collocation or  
446 construction shall be only as provided by the municipality's





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447 underground utilities ordinance.

448 (p) This subsection does not authorize a person to  
449 collocate or attach small wireless facilities or micro wireless  
450 facilities on a utility pole unless otherwise permitted by  
451 federal law, or to erect a wireless support structure in the  
452 right-of-way located within a municipality that:

453 1. Is located on a coastal barrier island as defined in s.  
454 161.053(1)(b)3.;

455 2. Has a land area of less than 5 square miles;

456 3. Has fewer than 10,000 residents; and

457 4. Which has, before the adoption of this act, received  
458 referendum approval to issue debt to finance municipality-wide  
459 undergrounding of its utilities for electric transmission or  
460 distribution.

461  
462 Nothing in this paragraph applies to the installation of micro  
463 wireless facilities on any existing and duly authorized aerial  
464 communications facilities, provided that once aerial facilities  
465 are converted to underground, any such collocation or  
466 construction shall be only as provided by the municipality's  
467 underground utilities ordinance.

468 Section 2. This act shall take effect July 1, 2017.

469  
470 ===== T I T L E A M E N D M E N T =====

471 And the title is amended as follows:

472 Delete everything before the enacting clause  
473 and insert:

474 A bill to be entitled

475 An act relating to utilities; amending s. 337.401,



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476 F.S.; authorizing the Department of Transportation and  
477 certain local governmental entities to prescribe and  
478 enforce reasonable rules or regulations with reference  
479 to the placing and maintaining across, on, or within  
480 the right-of-way limits of any road or publicly owned  
481 rail corridors under their respective jurisdictions  
482 any voice or data communications services lines or  
483 wireless facilities; providing a short title; defining  
484 terms; prohibiting a county or municipality having  
485 jurisdiction and control of the rights-of-way of any  
486 public road, referred to as the "authority," from  
487 prohibiting, regulating, or charging for the  
488 collocation of small wireless facilities in public  
489 rights-of-way under certain circumstances; authorizing  
490 an authority to require a registration process and  
491 permit fees only under certain circumstances;  
492 requiring an authority to receive and process  
493 applications for permits and to issue such permits,  
494 subject to specified requirements; prohibiting an  
495 authority from requiring approval of or imposing fees  
496 or other charges for routine maintenance, the  
497 replacement of certain wireless facilities, or the  
498 installation, placement, maintenance, or replacement  
499 of certain micro wireless facilities; providing an  
500 exception; providing requirements for the collocation  
501 of small wireless facilities on authority utility  
502 poles; providing requirements for rates, fees, and  
503 other terms related to authority utility poles;  
504 authorizing an authority to apply current ordinances



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505 regulating placement of communications facilities in  
506 the right-of-way, including registration, permitting,  
507 insurance coverage, indemnification, performance  
508 bonds, security funds, force majeure, abandonment,  
509 authority liability, or authority warranties for  
510 certain applications; providing that certain permit  
511 application requirements and small wireless facility  
512 placement requirements shall be waived by the  
513 authority; prohibiting an authority from adopting or  
514 enforcing any regulation on the placement or operation  
515 of certain communications facilities, from regulating  
516 any communications services, or from imposing or  
517 collecting any tax, fee, or charge not specifically  
518 authorized under state law; requiring a wireless  
519 provider to comply with certain nondiscriminatory  
520 undergrounding requirements of the authority;  
521 authorizing the authority to waive any such  
522 requirements; authorizing a wireless infrastructure  
523 provider to apply to an authority to place utility  
524 poles in the public rights-of-way to support the  
525 collocation of small wireless facilities; providing  
526 requirements for such application; requiring the  
527 authority to accept and process the application,  
528 subject to certain requirements; providing  
529 construction; authorizing an authority to enforce  
530 local codes adopted by ordinance in effect on a  
531 specified date which are applicable to a historic area  
532 designated by the state or authority and subject to  
533 waiver by the authority; providing an effective date.