

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  
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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.

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