



Senate Communications & Technology Committee

Senator Mike Folmer
Chairman

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SUMMARY

Senate Bill 1345 (PN 1815)

Prime Sponsor: Senator Folmer

SB 1345 (PN 1815) establishes the “Wireless Broadband Collocation Act” to streamline the modification or “collocation” of wireless communication facilities and wireless support structures (i.e., towers).

The following are among the key definitions of SB 1345:

- **Collocation:** placing or installing new wireless facilities on previously approved/constructed wireless support structures (rather than new, freestanding structures)
- **Modification:** the improvement, upgrade, expansion or replacement of existing wireless facilities on an existing wireless support structure or within an existing compound
 - Provided the changes do not increase the structure’s height or the compound’s size
- **Wireless facility:** antennas, transmitters, receivers, base stations, power supplies, and cabling and accessory equipment
- **Wireless support structure:** freestanding structures like monopoles, towers – guyed or self-supporting
 - Does NOT include any electric utility poles or towers

Regulation of wireless telecommunications support structures (Section 3): municipalities with existing planning and zoning regulations for wireless structures would not be able to place new or additional requirements when existing facilities are upgraded or expanded – unless the expansion would result in:

- New lighting or
- Increased height about established limits

“Collocation” of existing facilities would not be deemed “expansion” – which would preclude the municipality from imposing additional costs or operating restrictions.

Streamlined applications (Section 4): after a wireless facility site plan is approved/built under existing building permit, zoning, and land use requirements, applications to collocate or modify these facilities would be streamlined – and would not be subject to new or additional requirements, or permits.

An expedited approval process would only be allowed if the proposed collocation:

- Does not increase the overall height or width of the existing wireless support structure
- Does not expand the size of the compound previously approved by the municipality
- Complies with applicable conditions of prior approval
- Does not exceed applicable weight limits (as certified by a licensed structural engineer)

Municipal reviews of collocated facilities would not be allowed to include:

- Evaluations of the technical, business, or service characteristics of the proposed wireless facilities
- Requirements for radio frequency analyses (unless needed to ensure the proposed facilities will not interfere with emergency communications)
- Any other documentation that would:
 - Demonstrate the proposed service characteristics of the proposed wireless facility
 - Illustrate the need for the wireless facilities
 - Justify the business decision to collocate

Municipal decisions on collocation applications would be required within 90 calendar days – unless the municipality and the applicant agree to another timeline

- Municipalities would be required to notify applicants within 30 days if applications are deficient
 - Additional information to complete an application would not count against the 90 days
- Court appeals of municipal decisions would be allowed within 30 days

Preservation of local authority (Section 6): none of these collocation provisions would limit or preempt the Pennsylvania Municipalities Planning Code.