

# House Concurrent Resolution No. 22

## 92<sup>ND</sup> GENERAL ASSEMBLY

4511L.011

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

2           **Whereas**, any structure, object, natural growth, or use of land which  
3 obstructs the air space required for the flight of an aircraft landing or taking off at any airport is  
4 an aviation hazard; and

5           **Whereas**, aviation hazards endanger the lives and property of users of an airport  
6 and the occupants of land in its vicinity, and in effect reduce the size of the area available for  
7 landing, taking off, and maneuvering of aircraft, which tends to destroy or impair the utility of  
8 an airport; and

9  
10          **Whereas**, certain structures are hazardous to aircraft in flight because of their  
11 height or location, especially during periods of reduced visibility and darkness; and

12  
13          **Whereas**, with increased utilization of wireless services such as cellular phones  
14 and paging services, more telecommunications facilities and towers will be needed to meet the  
15 increasing demand for efficient and effective service; and

16  
17          **Whereas**, the number, height, and location of telecommunications towers are  
18 critical in determining the extent of the aviation hazard that is posed by these structures; and

19  
20          **Whereas**, to ensure the adequate provision of a telecommunications infrastructure

21 within this state in a manner that will support and promote public safety and economic  
22 development as well as fulfill the need for enhanced service for Missouri citizens, a framework  
23 for evaluating telecommunications facilities within the state is needed to address the increased  
24 demand for telecommunications services while attempting to avoid undue disruption through the  
25 proliferation of towers; and  
26

27 **Whereas**, while recognizing the need to develop an effective and efficient  
28 telecommunications infrastructure, the State of Missouri must study the problems associated with  
29 telecommunications towers that are located in close proximity to an airport:  
30

31 **Now, therefore, be it resolved** that the members of the House of  
32 Representatives of the Ninety-second General Assembly, Second Regular Session, the Senate  
33 concurring therein, hereby request the Missouri Department of Transportation, in consultation  
34 with the Public Service Commission, to study and investigate the problems associated with  
35 telecommunications towers located in close proximity to an airport; and  
36

37 **Be it further resolved** that the goal of the Department's study and  
38 investigation shall be:

39  
40 (1) To determine the nature and extent of the hazard telecommunications towers pose  
41 to aviation; and  
42

43 (2) To assess the feasibility of relocation of existing telecommunications towers that the  
44 Department determines pose an aviation hazard; and  
45

46 (3) To identify those areas, if any, within the State of Missouri where  
47 telecommunications towers can safely be located in close proximity to an airport; and  
48

49 (4) To encourage the co-location of telecommunications facilities on existing structures  
50 and towers that do not pose an aviation hazard to minimize the proliferation of towers and  
51 monopolies; and  
52

53 (5) To recommend appropriate siting, design, and buffer criteria to minimize aviation

54 hazards; and

55

56 (6) To make any other recommendations regarding the aviation hazard associated with  
57 the location of telecommunications towers in close proximity to airports; and

58

59 **Be it further resolved** that the Department of Transportation, in  
60 consultation with the Public Service Commission, submit any findings and recommendations of  
61 the study and investigation conducted pursuant to this resolution to the General Assembly by  
62 January 1, 2005; and

63

64 **Be it further resolved** that the Chief Clerk of the Missouri House of  
65 Representatives be instructed to prepare properly inscribed copies of this resolution for the  
66 Director of the Missouri Department of Transportation and the Chair of the Public Service  
67 Commission.