

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for House Bill No. 656, Page 4, Section 67.1830, Line 113, by  
2 inserting immediately after all of said section and line the following:

3  
4 "67.1832. 1. In addition to any other grants for the use of public thoroughfares, and pursuant to this  
5 section, a political subdivision shall grant its consent to a public utility right-of-way user authorized to do  
6 business pursuant to the laws of this state or by license of the Federal Energy Regulatory Commission,  
7 United States Department of Transportation, or the Federal Communications Commission to construct,  
8 maintain and operate all equipment, facilities, devices, materials, apparatuses, or media including but not  
9 limited to, conduits, ducts, lines, pipes, wires, hoses, cables, culverts, tubes, poles, towers, manholes,  
10 transformers, regulator stations, underground vaults, receivers, transmitters, satellite dishes, micro cells, Pico  
11 cells, repeaters, or amplifiers useable for the transmission or distribution of any service or commodity  
12 installed below or above ground in the public right-of-way; provided that, no political subdivision shall  
13 require any conditions that are inconsistent with the rules and regulations of the Federal Energy Regulatory  
14 Commission, United States Department of Transportation, Federal Communications Commission or the  
15 Missouri public service commission.

16 2. Pursuant to this section, a political subdivision may manage its public rights-of-way and may  
17 recover its rights-of-way management costs as set forth in sections 67.1830 to 67.1846. The authority  
18 granted in this section may be authorized at the option of the political subdivision, and the exercise of this  
19 authority is not mandated pursuant to this section. A political subdivision may, by ordinance:

20 (1) Require a public utility right-of-way user seeking to excavate within a public right-of-way to  
21 obtain a right-of-way permit and to impose permit conditions consistent with the political subdivision's  
22 management of the right-of-way;

23 (2) Require public utility right-of-way users to provide required notice to the political subdivision  
24 by submitting plans for anticipated construction projects that require excavation within the public right-of-  
25 way; ~~and~~

26 (3) In cases of emergency, public utility right-of-way users may proceed with required work without  
27 a permit; however, a political subdivision may require submission of the necessary information and permit  
28 fee following the emergency~~[-]; and~~

29 (4) Notwithstanding any provision of law to the contrary, prohibit cell tower structures from locating  
30 within the public right-of-way."; and

31  
32 Further amend said bill, Page 16, Section 67.5101, Line 76, by deleting the word "and"; and

33  
34 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Action Taken \_\_\_\_\_ Date \_\_\_\_\_