

ALERT

Capitol Contact

2018 Virginia General Assembly



Virginia Association of Counties
1207 E. Main Street
Suite 300
Richmond, VA 23219
www.vaco.org
804.788.6652
#VACoCapitolContact

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Capitol Contact ALERT – Wireless Bills Gutting Local Authority Over Land Use and Public Rights-of-Way Face Critical Votes Next Week

Take action now against two proposals by the wireless industry that will be voted on the floor early next week.

Oppose gutting of local authority to address siting of wireless towers

The first bad measure, [HB 1258 \(Kilgore\)](#) and [SB 405 \(McDougle\)](#), guts local zoning authority to address the siting of wireless towers. Specifically, they allow wireless companies to place cell towers up to 50 feet tall within rights-of-way without local control. Additionally, for towers of greater height, the bill hamstring localities' ability to obtain information and address citizen concerns through the public hearing process. HB 1258 passed by a vote of 56 to 41 and will be heard in [Senate Commerce & Labor Committee](#) on Monday, February 26. SB 405 passed by a vote of 22 to 13 and will likely be heard in [House Commerce & Labor Committee](#) on Tuesday, February 27.

ACTION REQUIRED - Contact your legislators now to oppose this gutting of local authority to address the siting of wireless towers.

KEY POINTS

- This legislation will not expand wireless service to rural and underserved areas as there is no requirement to build or provide service in these areas.
- This measure allows a wireless structure up to 50 feet in height to be placed within rights-of-way without local control.

- These provisions remove the ability of our citizens to have meaningful input over the character of their communities. Local zoning recognizes the importance of citizen input.

KEY CONTACTS

[General Assembly Members](#)

Oppose capping of local charges for use of public right-of-way

The second bad proposal, [HB 1427 \(Kilgore\)](#) and [SB 823 \(McDougle\)](#), sets a limit on what VDOT and localities may charge for the use of publicly owned rights-of-way by the wireless industry for the placement of poles and towers. HB 1427 passed by a vote of 83 to 14 and has been referred to [Senate Finance Committee](#). After barely surviving by a [vote of 19 to 18](#) on the Senate floor, SB 823 will likely face a House floor vote as early as Monday, February 26.

ACTION REQUIRED - Contact your legislators now to oppose this giveaway of publicly-owned property to a private entity.

KEY POINTS

- Virginia's roads and highways are publicly-owned assets whose value has been enhanced through significant investments in construction and maintenance.
- Local elected bodies are empowered to negotiate, through contract, with private entities for the use of publicly-owned land.
- The state should not usurp local authority in the management of locality owned assets

KEY CONTACTS

[General Assembly Members](#)

VACo Contact: [Joe Lerch, AICP](#)