

TITLE 55  
PROPERTY IN GENERAL

CHAPTER 29  
EMERGENCY COMMUNICATIONS PRESERVATION

55-2901. SHORT TITLE. This chapter shall be known and may be cited as "The Emergency Communications Preservation Act."

[55-2901, added 2001, ch. 316, sec. 1, p. 1126.]

55-2902. PURPOSE. The purpose of this chapter is to preserve the capability of amateur radio operators within the state of Idaho to provide radio communications in times of emergency and disaster.

[55-2902, added 2001, ch. 316, sec. 1, p. 1126.]

55-2903. DEFINITIONS. When used in this act:

(1) "Antenna" means any array of wires, tubing or similar materials used for the transmission and reception of radio waves.

(2) "Antenna support structure" or "tower" means a structure or framework that is designed to elevate an antenna above the ground for the purpose of increasing the effective communications range and reliability of an amateur radio station.

(3) "Amateur radio" means the use of amateur and amateur-satellite radio frequencies and services used by licensed, qualified persons of any age who are interested in radio technique without pecuniary remuneration. These services present an opportunity for public service, emergency communications, self-training, intercommunication and technical investigations.

(4) "Amateur radio operator" means any person who has been duly examined and licensed by the federal communications commission or its designee for the operation of transmitting and receiving apparatus on radio frequencies internationally agreed upon for the use of the amateur radio service.

(5) "Local unit of government" means a county, city or town.

[55-2903, added 2001, ch. 316, sec. 1, p. 1126.]

55-2904. ANTENNA SUPPORT STRUCTURES -- ANTENNAS -- RESTRICTIONS ON LOCAL UNITS OF GOVERNMENT. Any rule or ordinance of a local unit of government involving the placement, screening or height of antennas and towers based on health, safety or aesthetic considerations must be crafted to reasonably accommodate amateur radio communications and to represent the minimum practicable regulation to accomplish a legitimate purpose of the local unit of government.

[55-2904, added 2001, ch. 316, sec. 1, p. 1126.]