

14-46.005 Wireless Facilities

(1) **Purpose.** This rule is established to provide requirements for the installation, operation, maintenance, relocation, and adjustment of Small Wireless Equipment and Small Wireless Structures within the Florida Department of Transportation's (FDOT) rights-of-way in a manner that protects the safety of the travelling public, provides for the effective and orderly management of the right-of-way, and is consistent with the FDOT's contractual obligations under any leases entered into pursuant to Section 337.251, F.S.

(2) **Application.** This rule applies to all new Wireless Equipment and structures intended to support the installation of Wireless Equipment, including utility permit applications pending on the date this rule becomes effective. Existing Wireless Equipment and structures to which Wireless Equipment is attached do not require new utility permits provided that they were installed in accordance with all applicable laws, regulations, and leases in effect at the time of installation.

(3) **Terms and Acronyms.** All terms in this rule shall have the same meaning as those in Section 334.03, F.S. Additionally, the following terms are defined:

(a) Collocate: to attach, install, or mount Small Wireless Equipment on, under, or within an existing structure.

(b) Wireless Equipment: equipment at a fixed location which enables wireless communications between user equipment and a communications network, including radio transceivers, antennas, wires, coaxial or fiber optic cable or other cables, and equipment associated with wireless communications. The term includes Small Wireless Equipment. The term does not include any structure or pole on which the equipment is attached, physical lines for backhaul facilities, physical lines between wireless structures, or technology installed as part of or in support of electric distribution pursuant to and consistent with UAM Section 2.3.1(8).

(c) Small Wireless Equipment: Wireless Equipment that meets all the following conditions:

1. Each enclosed antenna is located inside an enclosure of no more than six (6) cubic feet in volume or, in the case of antennas that have exposed elements, each antenna and all its exposed elements can fit within an enclosure of no more than six (6) cubic feet in volume.

2. All other associated wireless equipment is cumulatively no more than twenty-eight (28) cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume:

- a. Electric meters,
- b. Concealment elements,
- c. Telecommunications demarcation boxes,
- d. Ground-based enclosures,
- e. Grounding equipment,
- f. Power transfer switches,
- g. Cutoff switches,
- h. Vertical cable runs for power and other services, and
- i. Small Wireless Structures.

3. Does not extend more than 10% above or more than ten feet above the structure to which it is attached, whichever is greater.

(d) Small Wireless Structure: an existing, proposed, or new pole, cable strung between structures, or other structure that has or is intended to have Small Wireless Equipment attached to it and such structure is not taller than 50 feet above ground level.

(e) UAM: Utility Accommodation Manual, as incorporated in Rule 14-46.001, F.A.C.

(f) UAO: The Utility Agency/Owner of Small Wireless Equipment, a Small Wireless Structure, or both.

(4) **Utility Permits.** No Wireless Equipment or structures intended to support the installation of Wireless Equipment, other than Small Wireless Equipment and Small Wireless Structures, may be installed, replaced, or erected in the FDOT rights-of-way pursuant to utility permit. Small Wireless Equipment may be collocated on existing structures in the FDOT rights-of-way pursuant to utility permit. Utility permit applications for Small Wireless Structures must include Small Wireless Equipment. This provision shall not preclude the right of a Department lessee to install, locate, or maintain other wireless equipment in accordance with the terms of their lease with the Department.

(a) The UAO shall obtain a utility permit pursuant to the UAM prior to installing Small Wireless Equipment in FDOT's right-of-way. The UAO shall comply with this rule and the UAM. To the extent the UAM and this rule conflict, this rule shall control; however, if the conflict is one in which this rule is silent and the UAM addresses the specific circumstance at issue, the UAM shall control.

(b) An existing structure that is already authorized to be within FDOT's right-of-way may be used to collocate Small Wireless

Equipment provided it meets the requirements of this rule and the UAM. If the existing structure is owned by a third party, the UAO must obtain the owner's consent for attachment prior to applying for a permit.

(5) **Placement Limitations.** The UAO shall not install or maintain any Small Wireless Equipment pursuant to a utility permit that interferes with the function of, replaces, or is intended to replace any FDOT structure, transportation facility, or equipment, including Wireless Equipment.

(6) **Signal Interference.** The UAO shall comply with all applicable Federal Communication Commission regulations relating to signal interference. If, at any time, including after installation of the Small Wireless Equipment, the UAO's Small Wireless Equipment interferes with any existing, proposed, or new FDOT Wireless Equipment, the UAO shall immediately eliminate the interference. If the UAO's Small Wireless Equipment interferes with any previously permitted Wireless Equipment in FDOT's rights-of-way, the UAO shall immediately eliminate the interference.

(7) **Utility Permit Application Package.** Application for a wireless utility permit shall be made through the online One-Stop Permitting website available at: <https://osp.fdot.gov>. In addition to the submittals required by the UAM, the UAO shall include the following:

(a) If the Small Wireless Equipment is collocated on a structure owned by a third-party, documentation from both the UAO and the third-party certifying that the UAO is authorized to collocate its Small Wireless Equipment on the third-party's structure. Such documentation from the third-party may include the first and last page of an agreement between the UAO and the third-party, a statement in writing signed by an authorized representative of the third-party, or an e-mail from an authorized representative of the third-party. The documentation may address more than one structure owned by the third-party to which the UAO is authorized to collocate Small Wireless Equipment;

(b) Plan view drawings (preferably to scale) showing the location of the proposed Small Wireless Equipment and structure to which it is attached, including the power source; and

(c) Documentation stating the operational frequency band of the proposed Small Wireless Equipment.

Rulemaking Authority 334.044(2), 337.401(1) FS. Law Implemented 337.251, 337.401, 337.402, 337.403, 339.041, 365.172(13)(f) FS. History—New 2-21-22.