

Legislative Analysis



MI. PUBLIC SAFETY COMMUNICATIONS SYSTEM: ALLOW COLOCATION ACCESS

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House Bill 5342

Sponsor: Rep. Gail Haines

Committee: Energy and Technology

Complete to 2-6-12

A SUMMARY OF HOUSE BILL 5342 AS INTRODUCED 2-2-12

The bill would allow the Department of Technology, Management, and Budget (DTMB) to sell space on the state's public safety communications towers (colocation); assign costs of colocation to the person requesting it; use revenue collected from colocations for repayment of certain bonds; allow the director of the DTMB to deny or revoke permission to colocate equipment on a tower; and define "colocation."

Specifically, House Bill 5342 would amend Public Act 152 of 1929 to do the following:

- Define "colocate" as placing or installing wireless communications equipment or network components used in the provision of wireless communications services, including, but not limited to, antennas, transmitters, receivers, base stations, equipment shelters, cabinets, emergency generators, power supply cabling, and coaxial and fiber optic cable, on or in the real or personal property, towers, buildings, equipment, or other related facilities and fixtures used in the operation and maintenance of the Michigan Public Safety Communications System (MPSCS).
- Allow the DTMB to authorize any person (not just governmental public safety agencies as is currently restricted) to use the MPSCS for communications consistent with FCC rules or for colocations.
- Make the person requesting the colocation responsible for all costs associated with planning, installing, and maintaining colocation equipment. Costs for collocating on the MPSCS would have to be comparable among persons requesting permission to colocate.
- Require any money collected from leasing the MPSCS to be used by the DTMB for the payment of debt service for bonds that finance the construction or maintenance of the MPSCS.
- Allow the director of the DTMB to deny a request to install or attach equipment to a tower constructed under the act, or revoke permission to continue to do so, if the director or a designee determines that the installation, attachment, or

continued colocation will interfere with the optimum operation of the MPSCS or any public safety communications colocated on a tower.

- Define "person" to mean an individual, corporation, partnership, association, governmental entity, or any other legal entity.

MCL 28.281, 28.282, and 28.283

BACKGROUND INFORMATION:

The Michigan Public Safety Communication System (MPSCS) provides interoperable voice and data communications for many of the state's first-responders (police, fire, EMS, and road commission), all branches of state government (executive, judicial, legislative, and certain state agencies), and federal public safety agencies (ATF, border control, Coast Guard, FBI, etc.). In addition, a few private entities like utility companies and the Red Cross are allowed access to the communication towers.

According to the DTMB, the MPSCS is the largest public safety communications system in North America with more than 244 towers and 58,000 radios covering an area of more than 59,415 square miles. It provides interoperable voice and data communications for many of Michigan's first-responders and state government agencies.

FISCAL IMPACT:

House Bill 5342 would have an indeterminate, but likely positive, fiscal impact on state government. By allowing persons to colocate on the Michigan public safety communications system, the Department of Technology, Management, and Budget could use any money collected from the lease payments for debt service on bonds that finance the construction and maintenance of the Michigan Public Safety Communications System. All costs associated with planning, installing and maintaining colocation equipment would be the responsibility of the person requesting permission to colocate.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.