

Promoting 5G: Two US Senators Re-Introduce Legislation to Streamline Rapid Deployment of Small Cells

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On June 3, 2019, U.S. Senators John Thune (R-SD) and Brian Schatz (D-HI) re-introduced the Streamlining the Rapid Evolution and Modernization of Leading-edge Infrastructure Necessary to Enhance Small Cell Deployment Act, or STREAMLINE Small Cell Deployment

Act.

The bipartisan legislation updates the Communications Act to better reflect developing technology and facilitate the rapid deployment of 5G networks. It also sets reasonable standards for local government review of infrastructure siting while recognizing the unique challenges for smaller municipalities.

Key Provisions of the STREAMLINE Small Cell Deployment Act:

- Permits must be approved or denied on publicly available criteria that are reasonable, objective and non-discriminatory.
- Small cell applications may be denied or regulated for objective and reasonable structural engineering standards, safety requirements or aesthetic or concealment requirements.
- Applications must be acted on no later than 60 days for requests to co-locate equipment and 90 days for other requests.
- Flexibility and additional time is allowed for small municipalities (fewer than 50,000 residents).

FCC Commissioner, Brendan Carr, released the following statement. *“I commend Senator Thune and Senator Schatz for their leadership on smart infrastructure policies. Their bill demonstrates bipartisan support for fee limits, timelines, and other reforms that are key to accelerating the buildout of 5G infrastructure in communities across the country. If passed, their work to modernize our country’s approach to small cells would notch another solid win for the U.S. in the race to 5G.”*

The telecommunications land use attorneys at Miller, Miller & Canby are experienced in Maryland, D.C. and Virginia and are closely monitoring the impacts of the **FCC order** and the efforts of State and local governments to craft small cell legislation in order to be able to advise telecommunications and landlord clients.

Sean P. Hughes is an attorney in Miller, Miller & Canby’s Land Use practice group. His career spans more than two decades of focus in legal and wireless telecommunications and he has represented clients in land use and zoning matters throughout the Mid-Atlantic. To learn more about the firm’s Land Use and Zoning practice, **[click here](#)**.

Cathy Borten is an attorney in Miller, Miller & Canby’s real estate practice group. She focuses in commercial real estate transactions and leasing, real estate litigation, land

use and zoning and commercial financings and settlements. Cathy has over 10 years' experience in leasing, land use and zoning in the wireless telecommunications industry. Cathy also participated in the drafting of the Montgomery County and City of Gaithersburg original small cell ordinances. To learn more about the firm's Real Estate practice, [click here](#).