RULE
Department of Transportation and Development
Office of the Secretary

Wireless Telecommunications Permit (LAC 70:II.1509)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950, et seq., and pursuant to the authority set forth in R.S. 48:381.2, the Department of Transportation and Development, Office of the Secretary has amended the Rule for utilities fees and permits. These amendments address the continued need for Louisiana residents to work and attend school virtually due to the effects of COVID-19; thus, necessitating expansion and maximization of broadband capacity and wireless communication in communities that are markedly lacking in these services. In addition to the continued need created by COVID-19, the passage of the Infrastructure Investment and Jobs Act (IIJA) availed funds for future broadband infrastructure. As this infrastructure expands, small cell towers are the necessary last step to bring high speed internet to all Louisiana citizens, especially those located in rural areas. There are no estimated implementation costs or savings to state or local governmental units associated with the rule revision. The Department of Transportation and Development already issues permits for use of public rights-of-way to utility operators for the purpose of installation of wireless telecommunications equipment and facilities within highway rights-of-way pursuant to R.S. 48:381.2. The permits in this Rule will be folded into LADOTD's existing processes, using existing staff. Consequently, there will be no adverse impact to the public, businesses, local or state governmental entities. This Rule is hereby adopted on the day of promulgation.

Title 70
TRANSPORTATION AND DEVELOPMENT
Part II. Utilities
Chapter 15. DOTD Wireless Telecommunications Permit

§1509. Fees
A. Definitions for use in this Section:
   Installation Facility—any tower or pole installed or utilized by a wireless telecommunications carrier for wireless audio and visual communications.
   Monopole/Guyed Tower—tower that consists of one stem or one pole anchored to the ground and supported by a structurally designed foundation or guyed anchor system. The wires may be anchored to the top of the structure or to the ground.
   Pole—column or post, constructed of wood or metal, supported by a simple concrete foundation up to 2 feet in diameter and/or with partial embedment.
   Self-Supporting Tower—a three or four sided lattice structure with self-supporting frame made from solid rod, pipe, or angle.
   Small Wireless Facility ("SWF")—wireless communications facilities that meet each of the following conditions:
      a. the facilities:

C. Annual renewal fees for each Small Wireless Facility shall be $270.00, regardless of location of the SWF. Permits are subject to a reevaluation cost every three years of an additional $82.59 per permit. The following fees shall be assessed for each initial permit, based on the classifications of the roadway in accordance with the 2013 edition of the Federal Highway Administration’s “Highway Functional Classification Concepts, Criteria, and Procedures.”
D. All permit fees must be paid to the department by check or money order. The department will not accept cash.
E. All permits will be in force and effect for a period of one year from the date the permit was issued.
F. The department may waive fees in exchange for shared resources.
G. The department may waive fees for those permit applicants who erect facilities, attachments or cameras for
the use of the department or other state agencies or political subdivisions to conduct departmental or state work.

AUTHORITY NOTE: Promulgated in accordance with R.S.
48:381.2.

HISTORICAL NOTE: Promulgated by the Department of
Transportation and Development, Office of Highways/Engineering,
LR 25:98 (January, 1999), amended LR 30:272 (February 2004),
amended by the Department of Transportation and Development,
Office of Secretary, LR 48:2189 (August 2022).

Shawn D. Wilson, Ph.D.
Secretary
2208#039

RULE

Department of Treasury Municipal Police
Employees' Retirement System

Mandatory Enrollment of Employees Employed
by 11:157 Employers (LAC 58:XVIII.1701)

The Municipal Police Employees’ Retirement System has
adopted LAC 58:XVIII Chapter 17 as authorized by R.S.
11:2225(A)(1). This Rule is promulgated in accordance with
the provisions of the Administrative Procedure Act, R.S.
49:950 et seq.

The Board of Trustees of the Municipal Police Employees’
Retirement System has created a new Chapter 17 to the
Louisiana Administrative Code that deals with automatic
enrollment of new employees of participating employers.
This Rule is codifying current statute. This Rule is hereby
adopted on the day of promulgation.

Title 58

EMPLOYERS

Part XVIII. Municipal Police Employees' Retirement
System

Chapter 17. Employers

§1701. Mandatory Enrollment of Employees Employed
by 11:157 Employers

A. To comply with the mandatory enrollment provisions of
R.S. 11:157(A), an employer must enroll each employee
in the retirement system on the first day the employee
qualifies for membership. The employer shall remit to the
retirement system the required employee and employer
contributions no later than the fifteenth day of the month
following the first day the employee qualifies for
membership. If the employee subsequently submits an
affidavit under R.S. 11:157(C) before the end of the first
calendar month during which the employee qualified for
membership in the retirement system, a prorated amount
of employer contributions shall be refunded to the employer.

AUTHORITY NOTE: Promulgated in accordance with R.S.
11:2225(A)(1).

HISTORICAL NOTE: Promulgated by the Department of the
Treasury, Board of Trustees of the Municipal Police Employees’

Benjamin A. Huxen
Executive Director
and General Counsel
2208#073

RULE

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

Chronic Wasting Disease Control Areas (LAC 76:V.137)

The Wildlife and Fisheries Commission has adopted §137,
cervid carcass exportation and baiting regulations within
Louisiana Department of Wildlife and Fisheries (LDWF)
designated chronic wasting disease (CWD) control areas.
On February 2, 2022, the Louisiana Animal Disease Diagnostic
Laboratory at LSU detected CWD in a sample submitted by
LDWF from a hunter harvested adult buck in Tensas Parish.
The sample was subsequently confirmed by the National
Veterinary Services Laboratory in Ames, Iowa. Upon
detection, LDWF has implemented its CWD Response Plan
to curb the spread of CWD in Louisiana. The action is
intended to reduce further spread of the disease through
anthropogenic pathways. This Rule is hereby adopted on
the day of promulgation.

Title 76

WILDLIFE AND FISHERIES

Part V. Wild Quadrupeds and Wild Birds

Chapter 1. Wild Quadrupeds

§137. Rules and Regulations for Chronic Wasting Disease
Control Areas

A. Definitions

Cervid—any animal of the family Cervidae including,
but not limited to, white-tailed deer, mule deer, elk, moose,
caribou "reindeer", fallow deer, axis deer, sika deer, and red
der.

Chronic Wasting Disease (CWD)—Neurodegenerative
disease found in most deer species, including white-tailed
der, mule deer, elk, red deer, moose, and caribou. It is
infectious, always fatal, and has no treatment. CWD is part
of a group of diseases known as transmissible spongiform
encephalopathies (TSEs) and is similar to BSE (mad cow
disease) in cattle and scrapie in sheep. These diseases cause
irreversible damage to brain tissue, which leads to excessive
salivation, neurological symptoms, emaciation, and death of
the animal.

Control Area—LDWF designated area consisting of the
CWD infectious zone and buffer zone where mitigation
measures and regulations are applied to curb further spread
of the disease. The control area shall be listed on the LDWF
website.

LDWF—The Louisiana Department of Wildlife and
Fisheries.

B. Baiting, placement of bait, or hunting over bait is
prohibited within a LDWF designated CWD control area.
It is the responsibility of hunters to check their hunting area for
bait prior to each hunt. A baited area is an area on which salt,