

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

FILED SENATE
Apr 4, 2023
S.B. 562
PRINCIPAL CLERK

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SENATE BILL DRS45250-MW-25

Short Title: Relocate Telecom Util for Hwy Construction. (Public)

Sponsors: Senators Sawyer, Lazzara, and McInnis (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO GOVERN RELOCATION OF TELECOMMUNICATIONS UTILITY
3 FACILITIES BY THE DEPARTMENT OF TRANSPORTATION FOR THE
4 CONSTRUCTION OF HIGHWAY IMPROVEMENTS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 136-19.5 is amended by adding a new subsection to read:

7 "(e) Notwithstanding any provision of this section to the contrary, the Department of
8 Transportation shall notify a telecommunications utility whenever the construction of highway
9 improvements makes relocation of a utility line, facility, or system for producing, transmitting,
10 or distributing telecommunications necessary and that the construction of the utility relocation
11 will be included in the Department's highway contract. Within 30 days of notification under this
12 subsection, the telecommunications utility shall inform the Department whether the utility will
13 be responsible for the design of the relocation. If the utility fails to respond within this time
14 period, the Department shall notify the telecommunications utility that the Department will be
15 responsible for managing the design of the relocation. For purposes of this subsection, the term
16 "relocation" means removal, relocation, or adjustment of utility facilities, and the term
17 "telecommunications utility" means a public utility that owns or operates in this State equipment
18 or facilities for conveying or transmitting messages or communications by telephone or
19 telegraph, or any other means of transmission, where such service is offered to the public for
20 compensation."

21 **SECTION 2.** This act is effective when it becomes law and applies to all highway
22 improvement contracts entered into on or after that date.

