



SENATE BILL 99: Appropriations Act of 2018, Sec. 34.14: Replacement ROW for Utility Relocation

2017-2018 General Assembly

Committee:		Date:	August 1, 2018
Introduced by:		Prepared by:	Howard Marsilio Staff Attorney
Analysis of:	Sec. 34.14 of S.L. 2018-5		

OVERVIEW: *Sec. 34.14 of S.L. 2018-5 authorizes the Department of Transportation (DOT) to, upon agreement with a utility owner, acquire replacement right-of-way (ROW) and assign the easement rights to the ROW to the utility owner.*

This section became effective July 1, 2018.

CURRENT LAW: Pursuant to G.S. 136-19.5(c), when DOT requires the relocation of utilities, the Department reimburses utility owners for the cost of purchase and relocation to a new ROW if the utility owner originally contributed to the cost of the ROW.

BILL ANALYSIS: As another option for DOT, instead of paying costs related to the utility owner purchasing a replacement ROW, Sec. 34.14 authorizes the Department to acquire a replacement ROW for the purpose of assigning the easement rights of the replacement ROW to the utility owner. The Department may only do this upon agreement with the utility owner.

EFFECTIVE DATE: This section became effective July 1, 2018.

Luke Gillenwater, of the Bill Drafting Division, substantially contributed to this summary.

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