

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 562

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

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

Referred to: Rules and Operations of the Senate

April 5, 2023

A BILL TO BE ENTITLED

AN ACT TO GOVERN RELOCATION OF TELECOMMUNICATIONS UTILITY
FACILITIES BY THE DEPARTMENT OF TRANSPORTATION FOR THE
CONSTRUCTION OF HIGHWAY IMPROVEMENTS.

The General Assembly of North Carolina enacts:

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

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

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



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