

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 339

Introduced by Bostelman, 23.

Read first time January 13, 2021

Committee:

- 1 A BILL FOR AN ACT relating to highways and bridges; to provide for a
- 2 utility coordination plan for certain contracts.
- 3 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) Any contract exceeding fifty thousand dollars for
2 the construction, reconstruction, improvement, maintenance, or repair of
3 a road, street, highway, bridge, or other related structure to which the
4 Department of Transportation or any city of the metropolitan class, any
5 city of the primary class, any city of the first class, or any county
6 with more than twenty-five thousand inhabitants is a party shall require
7 a utility coordination plan. Such plan shall identify any utility
8 operator, its facilities, and the location and elevation of such
9 facilities within the project work area or which are otherwise affected
10 by any construction, reconstruction, improvement, maintenance, or repair
11 project conducted under such contract and the date or dates such
12 facilities will be relocated or removed. A contractor performing services
13 under the contract may rely on such plan and shall be compensated by the
14 Department of Transportation or such city or county for any costs or
15 damages associated with any deviation or failure by the department or
16 such city or county to follow the plan.

17 (2) For purposes of this section:

18 (a) Facility means personal property above or below ground for use
19 in connection with the storage or conveyance of water, sewage, electronic
20 communications, telephonic communications, telegraphic communications,
21 cable television, electric energy, oil, gas, hazardous liquids, or other
22 substances and includes pipes, trunk lines, fiber optic cables, sewers,
23 conduits, cables, valves, lines, wires, manholes, and attachments to such
24 personal property; and

25 (b) Utility operator includes any entity that owns or operates a
26 facility.