

HOUSE BILL 529

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

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AN ACT

RELATING TO TELECOMMUNICATIONS SERVICES; PERMITTING THE PUBLIC
REGULATION COMMISSION TO RESOLVE CONFLICTS BETWEEN CERTAIN
LOCAL GOVERNMENTS AND CERTAIN TELECOMMUNICATIONS SERVICE
PROVIDERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 62-1-3 NMSA 1978 (being Laws 1909,
Chapter 141, Section 3, as amended) is amended to read:

"62-1-3. USE OF HIGHWAYS AND STREETS--POWER OF COUNTY
COMMISSIONERS.--

A. The boards of county commissioners of the
several counties are authorized to permit corporations
organized pursuant to Section 62-1-1 NMSA 1978, public
utilities under the Public Utility Act and companies that
provide public telecommunications service pursuant to the New

.192726.2

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underscored material = new
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1 Mexico Telecommunications Act to use the public highways and
2 the streets and alleys of unincorporated towns for their pipes,
3 poles, wires, cables, conduits, towers, transformer stations
4 and other fixtures, appliances and structures; provided that
5 such use shall not unnecessarily obstruct public travel; and
6 provided further that the boards of county commissioners and
7 municipal authorities of incorporated cities and towns are
8 authorized to grant franchises not exceeding twenty-five years'
9 duration to corporations for such purposes within their
10 respective jurisdictions. A board of county commissioners is
11 authorized to impose charges for reasonable actual expenses
12 incurred in the granting of any franchise pursuant to this
13 section.

14 B. The commission may resolve any conflicts that
15 arise between a provider of public telecommunications service
16 and the board of county commissioners or the governing body of
17 a municipality that has granted the provider a franchise."