

HOUSE BILL NO. HB0030

Transportation department authority.

Sponsored by: Joint Transportation, Highways and Military
Affairs Interim Committee

A BILL

for

1 AN ACT relating to the department of transportation;
2 expanding authority relating to acquiring property for
3 rights-of-way for structures to maintain safe roadways; and
4 providing for an effective date.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 24-2-102(a)(i)(E) and (b) is amended
9 to read:

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11 **24-2-102. General powers; power of eminent domain**
12 **limited.**

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14 (a) To construct, maintain and supervise the public
15 highways of this state, the department of transportation is
16 authorized to:

1

2 (i) Acquire, hold and manage real property in
3 the name of the transportation commission and to develop,
4 improve, operate and maintain the same for any necessary
5 public purpose. Lands acquired for rights-of-way for
6 highways may be up to three hundred (300) feet wide and
7 greater where extra width is necessary for:

8

9 (E) Maintenance, including the erection and
10 preservation of structures reasonably necessary to maintain
11 the safe condition of a highway;

12

13 (b) The commission shall not acquire property by
14 eminent domain except for highway rights-of-way as
15 specified by subparagraphs (a)(i)(A) through (F) of this
16 section and, unless acquired for the erection and
17 preservation of structures reasonably necessary to maintain
18 the safe condition of a highway, only if the property for
19 those purposes is immediately adjacent to the highway
20 right-of-way.

21

1 **Section 2.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

5

6

(END)