



HB24-1266

Ensuring Timely Relocation of Utilities in County Right-of-Way

Sponsors: Reps. Hamrick and Frizell; Sen. Zenzinger

When local governments undertake transportation/roadway expansion projects, they often work with utility companies (predominantly electric, gas and telecommunications) to relocate existing utility lines in the right-of-way in order to carry out these roadway improvements. Even with advanced notice and coordination, utility lines are sometimes not relocated in a timely manner and projects incur unanticipated delays resulting in project cost overruns, unexpected financial burdens for local governments and unnecessary impacts to the traveling public.

While these utilities have a statutory right to locate lines in the local government right-of-way, there is no enforcement mechanism in statute to compel utility companies to heed requests for utility relocation to allow roadway projects to proceed.

In recent years, several counties have incurred significant costs on largescale capital road projects as a result of a failure by a utility to relocate in accordance with the established project schedule. In one instance, this resulted in a metro county paying out millions of dollars to a construction company in a financial settlement because of the delays – all because of the utility owner's failure to relocate their utility lines as requested.

HB 1266 will ensure responsiveness, transparency and accountability for utility providers by amending existing statutes to require investor-owned utility companies to cooperate with local government road improvement projects in terms of establishing relocation schedules for required relocations of the utility facilities and to require these utility owners to pay any costs the county incurs for unnecessary delays. This legislation will foster better communication between counties and utility owners, save taxpayer dollars and expedite improvements to our county and city roadways.

Please Support Additional County Right-of-Way Authority
Vote YES on HB 1266

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