



## Bill Draft 2017-MWz-20: Replacement ROW for Utility Relocation.

2017-2018 General Assembly

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| <b>Committee:</b> | House Select Committee on Strategic Transportation Planning and Long Term Funding Solutions | <b>Date:</b> | March 28, 2018 |
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| <b>Introduced by:</b> |             | <b>Prepared by:</b> | Luke Gillenwater |
| <b>Analysis of:</b>   | 2017-MWz-20 |                     | Staff Attorney   |

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**OVERVIEW:** 2017-MWz-20 authorizes the Department of Transportation ("Department") to, upon agreement with a utility owner, acquire replacement right-of-way ("ROW") and assign the easement rights to the ROW to the utility owner instead of reimbursing the utility owner for the cost of relocating utilities.

**CURRENT LAW:** When the Department requires the relocation of utilities, G.S. 136-19.5(c) requires the Department to reimburse utility owners for the cost of relocation if the utility owner originally contributed to the cost of the ROW.

**BILL ANALYSIS:** Instead of reimbursing the utility owner for the cost of relocating the utility, 2017-MWz-20 authorizes the Department to acquire a replacement ROW and assign the easement rights to the replacement ROW to the utility owner. The Department may only do this upon agreement with the utility owner.

**EFFECTIVE DATE:** 2017-MWz-20 is effective when it becomes law.

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Legislative Drafting  
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