

House Research Act Summary

CHAPTER: 122

SESSION: 2001 Regular Session

TOPIC: Utility Facilities on Rail Right-of-Way

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Expands the authority of the department of public service over use of railroad right-of-way by utilities for lines crossing or paralleling railroad right-of-way. Under present law this authority applies to electric wires and natural gas pipelines. Under this change it would also apply to telephone, telegraph, telecommunications, cable, and fiber optic providers and facilities.

Makes a comparable change in the law authorizing the department to regulate charges made by railroads for use of their right-of-way for utility facilities. Specifies that this authority applies to facilities that more or less parallel railroad right-of-way.

"Paralleling" would be defined to mean adjacent to a rail line for up to one mile, or another distance mutually agreed to, before ending or crossing or exiting the rail right-of-way.

(NOTE: *This bill was vetoed by the governor on May 18, 2001.*)