

Subject Threatened and endangered species

Authors Morrison

Analyst Janelle Taylor

Date March 5, 2019

Overview

This bill would provide a definition of road for purposes of an exemption from certain endangered species protections. Under current law, plants on ditches and roadways are exempt from provisions prohibiting the taking of an endangered species. This bill would replace “roadway” for purposes of the exemption with “an existing public road right-of-way” unless the ground has not been previously disturbed by construction or maintenance.

For the purposes of this provision, “public road right-of-way” is defined as “the entire right-of-way of a public road, including the traveled portions, banks, ditches, shoulders, and medians of a roadway, that is not privately owned.”