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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- EXCAVATION NEAR
UNDERGROUND UTILITY FACILITIES -- COSTS

Introduced By: Senator P Fogarty

Date Introduced: January 16, 2013

Referred To: Senate Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 39-1.2 of the General Laws entitled "Excavation Near
2 Underground Utility Facilities" is hereby amended by adding thereto the following section:

3 **39-1.2-2.1. Costs associated with relocation of public utility infrastructure during**
4 **public works construction projects.** – [Any and all costs incurred by any municipal corporation](#)
5 [as a result of the temporary or permanent relocation of any public utility infrastructure, including,](#)
6 [but not limited to, public utility poles, during the repair, maintenance, construction or](#)
7 [reconstruction or any municipal right-of-way shall be borne exclusively by the public utility.](#)

8 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- EXCAVATION NEAR
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1 This act would require public utilities to incur all costs incurred by municipal
2 corporations associated with the temporary or permanent relocation of utility infrastructure such
3 as public utility poles during public works projects within municipal rights-of-way.

4 This act would take effect upon passage.

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