

2016 -- S 2167

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LC004150  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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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 27, 2016

Referred To: Senate Commerce

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           **39-1.2-15. Costs associated with relocation of public utility infrastructure during**  
4 **public works construction projects.** – [Any and all costs incurred by any municipality as a result](#)  
5 [of the temporary or permanent relocation of any public utility infrastructure, including, but not](#)  
6 [limited to, public utility poles, during the repair, maintenance, construction or reconstruction or](#)  
7 [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  
UNDERGROUND UTILITY FACILITIES -- COSTS

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1           This act would require that all costs incurred by municipal corporations associated with  
2 the temporary or permanent relocation of utility infrastructure such as public utility poles during  
3 public works projects within municipal rights-of-way be borne by the public utility.

4           This act would take effect upon passage.

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