

8.86 Fiberoptic network conduit installation program.

1. For purposes of [this section](#):

a. “*Fiberoptic network conduit*” means a pipe, vault, or duct used to enclose fiberoptic cable facilities buried alongside a roadway or surface mounted on a bridge, overpass, or other facility where placement below ground is impossible or impractical. “*Fiberoptic network conduit*” does not include electronics or cable.

b. “*Public funding*” does not include a tax exemption authorized under [section 427.1, subsection 40](#).

c. “*Where such conduit does not exist*” means that private or publicly owned fiberoptic cable is not currently within a linear range of five hundred feet or less in any one direction.

2. The department shall lead and coordinate a program to provide for the installation of fiberoptic network conduit where such conduit does not exist. The director shall consult and coordinate with applicable agencies and entities, including public utilities as defined in [section 476.1](#), the state department of transportation, the economic development authority, county boards of supervisors, municipal governing bodies, the farm-to-market review board, county conservation boards, and the boards, commissions, or agencies in control of state parks, as determined appropriate to ensure that the opportunity is provided to lay or install fiberoptic network conduit wherever a state-funded construction project involves trenching, boring, a bridge, a roadway, or opening of the ground, or alongside any state-owned infrastructure.

3. Contingent upon the provision of funding for such purposes by the general assembly, the department may contract with a nongovernmental third party to manage, lease, install, or otherwise provide fiberoptic network conduit access for projects described in [this section](#). [This section](#) does not require coordination with or approval from the department pursuant to this program or installation of fiberoptic conduit as required by [this section](#) for construction projects not using public funding.

[2015 Acts, ch 120, §33](#)

C2016, §8B.25

[2021 Acts, ch 171, §21](#); [2024 Acts, ch 1185, §71, 85](#)

C2025, §8.86

Referred to in [§8.77, 8.91](#)

Section transferred from [§8B.25](#) in Code 2025 pursuant to directive in [2024 Acts, ch 1185, §85](#)

Subsections 2 and 3 amended