

FEB 16 2004
Place On Calendar

Withdrawn
4/13/04

HOUSE FILE 2271
BY COMMITTEE ON COMMERCE,
REGULATION AND LABOR

(SUCCESSOR TO HSB 544)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act regarding public utility rights-of-way and providing an
2 effective date.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2271

1 Section 1. NEW SECTION. 306.46 PUBLIC UTILITY FACILITIES
2 -- PUBLIC ROAD RIGHTS-OF-WAY.

3 1. A public utility may construct, operate, repair, or
4 maintain its utility facilities within a public road right-of-
5 way. The location of new utility facilities shall comply with
6 section 319.5. A utility facility shall not be constructed or
7 installed in a manner that causes interference with public use
8 of the road.

9 2. For purposes of this section, "public utility" means a
10 public utility as defined in section 476.1, and shall also
11 include waterworks, municipally owned waterworks, joint water
12 utilities, rural water districts incorporated under chapter
13 357A or 504A, and cooperative water associations. For the
14 purposes of this section, "utility facilities" means any
15 cables, conduits, wire, pipe, casing pipe, supporting poles,
16 guys, and other material and equipment utilized for the
17 furnishing of electric, gas, communications, water, or sewer
18 service.

19 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
20 immediate importance, takes effect upon enactment.

21 EXPLANATION

22 This bill permits public utilities to construct and
23 maintain utility facilities such as cable, pipes, and poles,
24 within public road rights-of-way. The location of new utility
25 facilities must be approved pursuant to Code section 319.5 and
26 cannot cause interference with use of the road by the public.
27 The term "public utility" is broadened to include waterworks,
28 joint water utilities, rural water districts, and cooperative
29 water associations.

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FREE MAN-CH
MANTERWACH
TAYLOR, J.

SE 0227/ HSB 544
COMMERCE, REGULATION & LABOR

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
COMMERCE, REGULATION
AND LABOR BILL BY
CHAIRPERSON JENKINS)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act regarding public utility rights-of-way and providing an
2 effective date.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 476.28 PUBLIC UTILITY FACILITIES
2 -- PUBLIC ROAD RIGHTS-OF-WAY.

3 1. A public utility may construct, operate, repair, or
4 maintain its utility facilities within a public road right-of-
5 way, subject to rules adopted by the state department of
6 transportation. New utility facilities shall comply with
7 section 319.5. A utility facility shall not be constructed or
8 installed in a manner that causes interference with public use
9 of the road.

10 2. For purposes of this section, "public utility" means a
11 public utility as defined in section 476.1, and shall also
12 include waterworks, municipally owned waterworks, joint water
13 utilities, rural water districts incorporated under chapter
14 357A or 504A, and cooperative water associations. For the
15 purposes of this section, "utility facilities" means any
16 cables, conduits, wire, pipe, casing pipe, supporting poles,
17 guys, and other material and equipment utilized for the
18 furnishing of electric, gas, communications, water, or sewer
19 service.

20 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
21 immediate importance, takes effect upon enactment.

22 EXPLANATION

23 This bill permits public utilities to construct and
24 maintain utility facilities such as cable, pipes, and poles,
25 within public road rights-of-way. The location of new utility
26 facilities must be approved pursuant to Code section 319.5 and
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28 The term "public utility" is broadened to include waterworks,
29 joint water utilities, rural water districts, and cooperative
30 water associations.

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