

House File 2228 - Introduced

HOUSE FILE 2228
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO HF 736)

A BILL FOR

1 An Act relating to the installation of transmission lines on
2 highway rights-of-way.

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

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1 Section 1. Section 306.47, Code 2026, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 3. Upon written request by a utility
4 infrastructure owner, the department shall engage in coordination
5 activities with a utility or transmission line developer to
6 review highway corridors identified in the request for potential
7 locations to place transmission lines. The department shall
8 assign a project coordinator within thirty days of receiving the
9 written request. The department shall share all known plans
10 with affected utility or transmission line developers on planned
11 future projects in the highway corridor if the planned highway
12 project impacts the placement or siting of transmission lines.

13 Sec. 2. Section 306A.3, subsection 2, Code 2026, is amended
14 to read as follows:

15 2. a. The state department of transportation shall adopt
16 rules, pursuant to chapter 17A, embodying a utility accommodation
17 policy which imposes reasonable restrictions on placements,
18 occurring on or after the effective date of the rules, on primary
19 road rights-of-way. The rules may require utilities to give
20 notice to the department prior to installation of a utility
21 system on a primary road right-of-way and obtain prior permission
22 from the department for the proposed installation. Upon
23 written request by a utility infrastructure owner, longitudinal
24 transmission line installations may be installed on a primary
25 road right-of-way, including on an interstate road right-of-way,
26 unless the department determines such an installation would
27 endanger public safety or interfere with the proper function
28 and public use of the highway. The rules ~~shall~~ must recognize
29 emergency situations and the need for immediate installation
30 of service extensions subject to the standards adopted by the
31 department and the utilities commission. The rules shall not be
32 ~~no~~ less stringent than the standards adopted by the utilities
33 commission pursuant to chapters 478, 479, and 479B. This
34 subsection shall not be construed as granting the department
35 authority which has been expressly granted to the utilities

1 commission to determine the route of utility installations. If
2 the department requires a utility company permit, the department
3 shall be required to act upon the permit application within
4 thirty days of its filing. In cases of federal-aid highway
5 projects on nonprimary highways, the local authority with
6 jurisdiction over the highway and the department shall comply
7 with all federal regulations and statutes regarding utility
8 accommodation.

9 b. If the department denies an installation of a longitudinal
10 transmission line on a primary road right-of-way, including on
11 an interstate road right-of-way, the department shall make the
12 reasons for the denial available to the public within ninety
13 days.

14 EXPLANATION

15 The inclusion of this explanation does not constitute agreement with
16 the explanation's substance by the members of the general assembly.

17 This bill relates to the installation of transmission lines on
18 highway rights-of-way.

19 Under current law, the general assembly encourages proactive
20 coordination between the department of transportation (DOT),
21 local governments, utility companies, and other affected parties
22 to minimize costs and avoid relocating utilities during highway
23 construction. Affected parties are invited to participate in
24 development meetings. However, failure to participate during
25 the design phase does not prevent a construction project from
26 moving forward. The bill requires the DOT, upon written request
27 by a utility infrastructure owner, to engage in coordination
28 activities with a utility or transmission line developer to
29 review highway corridors identified in the request for potential
30 locations to place transmission lines. The DOT must share all
31 known plans with affected utility or transmission line developers
32 on planned future projects in the highway corridor if the planned
33 highway project impacts the placement or siting of transmission
34 lines.

35 Under current law, the DOT is required to adopt

1 administrative rules embodying a utility accommodation policy
2 imposing reasonable restrictions on utility line placements on
3 primary road rights-of-way. The bill authorizes longitudinal
4 transmission line installations to be installed on a primary road
5 right-of-way, upon written request by a utility infrastructure
6 owner, unless the DOT determines such an installation would
7 endanger public safety or interfere with the proper function and
8 use of the highway. The DOT must make the reasons for denying
9 the installation of a longitudinal transmission line available to
10 the public within 90 days.

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