By Senator Sebesta

16-1883-04

1   A bill to be entitled

2   An act relating to use of right-of-way for

3   utilities; amending s. 337.401, F.S.; providing

4   that a permit-delegation agreement between the

5   Department of Transportation and a governmental

6   entity does not apply to facilities of public

7   utilities; providing an effective date.

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9 Be It Enacted by the Legislature of the State of Florida:

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11   Section 1. Subsection (1) of section 337.401, Florida

12 Statutes, is amended to read:

13   337.401 Use of right-of-way for utilities subject to

14 regulation; permit; fees.--

15   (1) The department and local governmental entities,

16 referred to in ss. 337.401-337.404 as the "authority," that

17 have jurisdiction and control of public roads or publicly

18 owned rail corridors are authorized to prescribe and enforce

19 reasonable rules or regulations with reference to the placing

20 and maintaining along, across, or on any road or publicly

21 owned rail corridors under their respective jurisdictions any

22 electric transmission, telephone, telegraph, or other

23 communications services lines; pole lines; poles; railways;

24 ditches; sewers; water, heat, or gas mains; pipelines; fences;

25 gasoline tanks and pumps; or other structures hereinafter

26 referred to as the "utility." The department may enter into a

27 permit-delegation agreement with a governmental entity if

28 issuance of a permit is based on requirements that the

29 department finds will ensure the safety and integrity of

30 facilities of the Department of Transportation; however, the

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CODING: Words ~~stricken~~ are deletions; words <u>underlined</u> are additions.

1 permit-delegation agreement does not apply to facilities of

2 public utilities.

3   Section 2. This act shall take effect July 1, 2004.

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6   SENATE SUMMARY

7   Provides that a permit-delegation agreement between the
    Department of Transportation and a governmental entity
8   does not apply to facilities of public utilities.

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