

229756

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/07/2013	.	
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	.	

The Committee on Transportation (Evers) recommended the following:

Senate Amendment (with title amendment)

Between lines 407 and 408

insert:

Section 3. Subsections (1) and (5) of section 125.42, Florida Statutes, are amended to read:

125.42 Water, sewage, gas, power, telephone, other utility, and television lines along county roads and highways.—

(1) The board of county commissioners, with respect to property located without the corporate limits of any municipality, is authorized to grant a license to any person or private corporation to construct, maintain, repair, operate, and

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13 remove lines for the transmission of water, sewage, gas, power,
14 telephone, other public utilities, and television within the
15 right-of-way limits of ~~under, on, over, across and along~~ any
16 county highway or any public road or highway acquired by the
17 county or public by purchase, gift, devise, dedication, or
18 prescription. However, the board of county commissioners shall
19 include in any instrument granting such license adequate
20 provisions:

21 (a) To prevent the creation of any obstructions or
22 conditions which are or may become dangerous to the traveling
23 public;

24 (b) To require the licensee to repair any damage or injury
25 to the road or highway by reason of the exercise of the
26 privileges granted in any instrument creating such license and
27 to repair the road or highway promptly, restoring it to a
28 condition at least equal to that which existed immediately prior
29 to the infliction of such damage or injury;

30 (c) ~~If~~ ~~Whereby~~ the licensee holds ~~shall hold~~ the board of
31 county commissioners and members ~~thereof~~ harmless from the
32 payment of any compensation or damages resulting from the
33 exercise of the privileges granted in any instrument creating
34 the license; and

35 (d) As may be reasonably necessary, for the protection of
36 the county and the public.

37 (5) In the event of widening, repair, or reconstruction of
38 any such road, the licensee shall move or remove such water,
39 sewage, gas, power, telephone, and other utility lines and
40 television lines at no cost to the county if a facility is found
41 to be unreasonably interfering, except as provided in s.

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42 337.403(1)(d)-(g) ~~337.403(1)(e)~~.

43

44 ===== T I T L E A M E N D M E N T =====

45 And the title is amended as follows:

46 Between lines 10 and 11

47 insert:

48 amending s. 125.42, F.S.; revising provisions to
49 conform to changes made by the act; providing that in
50 order for a water, sewage, gas, power, telephone, or
51 other utility line and television lines to be required
52 to be moved at no cost to a county, the facility must
53 be found to be unreasonably interfering with the
54 widening, repair, or reconstruction of a road;
55 revising exceptions to the requirement;