

2022 -- S 2771

LC005347

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO HIGHWAYS -- RELOCATION OF UTILITY SERVICES

Introduced By: Senators Ciccone, and Lombardo

Date Introduced: March 24, 2022

Referred To: Senate Housing & Municipal Government

(Dept. of Transportation)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 24-8.1-2 of the General Laws in Chapter 24-8.1 entitled "Relocation  
2 of Utility Services" is hereby amended to read as follows:

3 **24-8.1-2. Relocation of utility facilities necessitated by highway construction.**

4 Notwithstanding any provision of law or of any charter or statute, general or special, to the  
5 contrary, whenever state initiated relocation of utility facilities in the state, owned by private  
6 corporations, private companies, municipalities, political subdivisions, authorities, or agencies of  
7 the state, whether within or without the limits of public ways, shall become necessary in connection  
8 with a highway project on the federal aid primary or secondary systems or on the national system  
9 of interstate and defense highways, including extensions thereof, for which the state shall be  
10 entitled under any law of the United States to reimbursement from federal funds for any portion of  
11 the cost of the project, then the state may order the relocation of the utility facilities, and the private  
12 corporation, private company, municipality, political subdivision, agencies of the state, or authority  
13 owning or operating the facilities shall promptly relocate the facilities in accordance with the order  
14 and the state shall ~~pay the cost of the relocation to the utility as part of the cost of the federally~~  
15 ~~aided highway project~~ reimburse the owner of such utility or utility facility for the cost of relocation  
16 subject to the following limitations and in accordance with the following formula: for any utility  
17 facility that is to be reimbursed federally, in whole or in part, and for any utility facility that does  
18 not qualify for federal reimbursement, the division shall reimburse the owner fifty percent (50%)  
19 of the costs of relocating the utility facility; in no case shall a utility be reimbursed for any type of

1 betterment; reimbursement is for relocation costs only; the state shall pay the cost of the relocation  
2 to the utility as part of the cost of the federally aided highway project. A utility relocation shall be  
3 eligible for reimbursement pursuant to this section only if it is completed to the satisfaction of the  
4 state within target dates established by the state and in accordance with design criteria set forth by  
5 the state for the relocation in manner that facilitates the timely completion of the affected project.  
6 The state shall pay a reasonable amount to private corporations and private companies for the  
7 relocation of utilities commencing with highway projects that are authorized for construction after  
8 March 1, 1976.

9 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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RELATING TO HIGHWAYS -- RELOCATION OF UTILITY SERVICES

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1           This act would amend the formula used to reimburse a utility facility or company for the  
2 cost of relocation necessitated by highway construction.

3           This act would take effect upon passage.

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