

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

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HOUSE BILL 1008

Short Title: Replacement ROW for Utility Relocation. (Public)

Sponsors: Representatives Torbett, Iler, Presnell, and Shepard (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Transportation

May 28, 2018

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ACQUIRE  
REPLACEMENT RIGHT-OF-WAY AND TO ASSIGN THE EASEMENT RIGHTS OF  
THE REPLACEMENT RIGHT-OF-WAY TO A UTILITY, AS RECOMMENDED BY  
THE HOUSE SELECT COMMITTEE ON STRATEGIC TRANSPORTATION  
PLANNING AND LONG TERM FUNDING SOLUTIONS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 136-19.5(c) reads as rewritten:

"(c) Whenever the Department of Transportation requires the relocation of utilities, including cable service as defined in G.S. 105-164.3, located in a right-of-way for which the utility owner contributed to the cost of acquisition, the Department of Transportation shall reimburse the utility owner for the cost of moving those utilities. The Department may, with the agreement of the utility owner, acquire a replacement right-of-way and assign the easement rights of the replacement right-of-way to the utility owner."

**SECTION 2.** This act is effective when it becomes law.



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