

26 (a) "Protected utility easement" means a recorded easement or right-of-way:

27 (i) for the use and installation of a utility facility; and

28 (ii) the ownership of which a gas corporation, electric corporation, or telephone
29 corporation acquires and holds by any lawful means.

30 (b) "Public utility easement" means the area on a recorded plat map or other recorded
31 document that is dedicated to the use and installation of public utility facilities.

32 (2) ~~(a)~~ A public utility easement provides a public utility with:

33 ~~(i)~~ (a) the right to install, maintain, operate, repair, remove, replace, or relocate public
34 utility facilities; and

35 ~~(ii)~~ (b) the rights of ingress and egress within the public utility easement for public
36 utility employees, contractors, and agents.

37 (3) (a) A public utility shall, no longer than 48 hours after the public utility disturbs the
38 ground, low level vegetation, or personal property on property of a single family residence
39 subject to a public utility easement, provide a written or electronic notice to the property owner
40 or occupant, or leave written notice on the property, in accordance with Subsection (3)(b).

41 (b) The public utility shall:

42 (i) deliver the notice described in Subsection (3)(a) by mail, email, or in person; and

43 (ii) include, in the written or electronic notice described in Subsection (3)(a), the name,
44 address, and phone number of the public utility described in Subsection (3)(a).

45 (c) Subsections (3)(a) and (b) do not apply to ~~H~~ :

45a (i) ~~H~~ a telephone corporation ~~H~~ [that has fewer
46 than 30,000 subscriber access lines in the state] [;] ; or

46a (ii) an electrical corporation that has fewer than 30,000 customers. ~~H~~

47 ~~(b)~~ (4) (a) Notwithstanding Subsection ~~(3)~~ (4)(b), a public utility shall restore or
48 repair, at the expense of the public utility, any fence, grass, soil, shrubbery, bushes, flowers,
49 other low level vegetation, sprinkler system, irrigation system, gravel, flat concrete, or asphalt
50 damaged or displaced from the exercise of the easement rights described in Subsection (2)~~(a)~~.

51 ~~(3) Except as provided in Subsection (2)(b), if~~

52 (b) If a property owner places improvements to land that interfere with the easement
53 rights described in Subsection (2)~~(a)~~, the property owner shall bear the risk of loss or damage
54 to those improvements resulting from the exercise of the easement rights described in
55 Subsection (2)~~(a)~~.

56 ~~(4)~~ (5) (a) Except as provided in Subsection ~~(4)~~ (5)(b), a public utility easement is