

H.B. 358

RIGHT OF WAY EQUITY AMENDMENTS

SENATE COMMITTEE AMENDMENTS

AMENDMENT 1

MARCH 10, 2019 8:48 PM

Senator **David G. Buxton** proposes the following amendments:

1. *Page 1, Lines 13 through 15:*

- 13 ▶ adds "crude oil" and "petroleum products" to the definition of "utility" in the
14 Construction, Maintenance, and Operations Act within the Transportation Code ~~{-}~~ ; and
▶ establishes the cost a crude oil or petroleum products pipeline pays if relocated to accommodate
construction of a state highway project.
15 Money Appropriated in this Bill:

2. *Page 2, Lines 50 through 55:*

- 50 (b) Except as provided in Subsection (3)(a) ~~{or}~~ , (c) , or (d) or Section 54-21-603, the
department
51 shall pay 50% of the cost of relocation of a utility to accommodate construction of a state
52 highway project, including the construction of a proposed state highway and the improvement,
53 widening, or modification of an existing state highway, and the utility company shall pay the
54 remainder of the cost of relocation.

(c) If the utility described in Subsection (3)(b) is a crude oil or petroleum products pipeline,
unless the utility meets the conditions described in Subsection (3)(a):

(i) the utility company shall pay the lesser of:

- (A) 50% of the cost of relocation of the pipeline to accommodate construction of a
proposed state highway and the improvement, widening, and modification of an existing highway; or
(B) 50% of the cost of any structure or facility necessary to avoid impinging on the
pipeline, and the department shall pay the remainder of the cost of the structure or facility; and

(ii) the department shall pay the remainder of the cost.

- 55 ~~{(c)}~~ (d) This Subsection (3) does not affect the provisions of Subsection 72-7-108(5).