

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE DRH70367-LM-123 (04/12)

Short Title: Utilities Access to Public Rights-of-Way. (Public)

Sponsors: Representatives Saunders and Brubaker (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT GRANTING PUBLIC UTILITIES IMMEDIATE ACCESS TO CERTAIN
PUBLIC RIGHTS-OF-WAY.

The General Assembly of North Carolina enacts:

SECTION 1. Article 9 of Chapter 62 of the General Statutes is amended by adding the following new section to read:

"§ 62-182.1. Access to dedicated public right-of-way.

When any map or plat of a subdivision, recorded as provided in G.S. 47-30 and G.S. 136-102.6, reflects the dedication of a public street or other public right-of-way, the dedicated public street or right-of-way shall, upon recordation of the map or plat, become immediately available for use by any public utility to install, maintain, and operate lines, cables, or facilities for the provision of service to the public. No public utility shall place or erect any line, cable, or facility in, over, or upon the dedicated public street or right-of-way, except in accordance with procedures established by the Department of Transportation, Division of Highways, for accommodating utilities on highway rights-of-way."

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