

House Bill 4095

Sponsored by Representatives RICHARDSON, PARRISH; Representatives BARKER, BARTON, CONGER, DAVIS, DOHERTY, GELSER, GOMBERG, HICKS, HOLVEY, KENNEMER, KRIEGER, MCLANE, REARDON, WEIDNER, WHISNANT, WILLIAMSON, Senator WINTERS (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Provides method for giving notice to Internet service providers that wish to install Internet lines within state highway right-of-way.

A BILL FOR AN ACT

1
2 Relating to the installation of Internet lines within state highway right-of-way.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2014 Act is added to and made a part of ORS chapter 366.**

5 **SECTION 2. (1) As used in this section, "Internet lines" includes wires, fiber-optic lines**
6 **or any other means of connecting electronic devices of Internet users to Internet service**
7 **providers.**

8 **(2) When the Department of Transportation plans a highway project that would allow an**
9 **Internet service provider to install Internet lines within an existing or new state highway**
10 **right-of-way, the department shall notify all interested Internet service providers of the**
11 **project in writing as soon as practicable. The department shall provide notice to each**
12 **Internet service provider that has requested notice pursuant to subsection (4) of this section.**

13 **(3) The notice required by subsection (2) of this section must include:**

14 **(a) The location of the highway project; and**

15 **(b) The manner in which an interested Internet service provider may request to partic-**
16 **ipate in the highway project in order to install new Internet lines.**

17 **(4) An Internet service provider may request in writing that the department notify the**
18 **provider of a highway project as described in subsection (2) of this section. The Internet**
19 **service provider must provide an address where the provider elects to receive notices. The**
20 **address provided may be a postal mailing address or, if the department provides notice by**
21 **electronic mail, may be an electronic mailing address.**

22 **(5) During the planning and design phase of a highway project, the department shall co-**
23 **ordinate with the interested Internet service providers to discuss installing new Internet**
24 **lines. The department is not required to avoid or minimize costs to a provider in a way that**
25 **materially affects the project's scope, costs or schedule. Failure of the interested providers**
26 **to respond or participate in the coordination or discussion does not affect the ability of the**
27 **department to proceed with design and construction of the project.**

28 **(6) The department shall adopt rules for the administration and implementation of this**
29 **section.**

30 **SECTION 3. Section 2 of this 2014 Act applies to highway projects commenced on or after**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **the effective date of this 2014 Act.**

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