

2060-S

Sponsor(s): House Committee on Technology, Telecommunications & Energy (originally sponsored by Representatives DeBolt, Morris, Crouse, Ruderman and Poulsen)

Brief Description: Concerning the use of public rights of way in cities and towns.

**HB 2060-S - DIGEST**

(AS OF HOUSE 2ND READING 2/11/00)

Provides that a city or town may issue or deny permits for the use of the right of way by a service provider for installing, maintaining, repairing, or removing facilities for telecommunications services or cable television services pursuant to ordinances, consistent with this act.

Authorizes cities and towns to require a service provider to obtain a master permit. A city or town may request, but not require, that a service provider with an existing state-wide grant to occupy the right of way obtain a master permit for wireline facilities.

Provides that a city or town shall not adopt or enforce regulations or ordinances specifically relating to use of the right of way by a service provider that: (1) Impose requirements that regulate the services or business operations of the service provider, except where otherwise authorized in state or federal law;

(2) conflict with federal or state laws, rules, or regulations that specifically apply to the design, construction, and operation of facilities or with federal or state worker safety or public safety laws, rules, or regulations;

(3) regulate the services provided based upon the content or kind of signals that are carried or are capable of being carried over the facilities, except where otherwise authorized in state or federal law; or

(4) unreasonably deny the use of the right of way by a service provider for installing, maintaining, repairing, or removing facilities for telecommunications services or cable television services.

Authorizes cities and towns to require service providers to relocate authorized facilities within the right of way when reasonably necessary for construction, alteration, repair, or improvement of the right of way for purposes of public welfare, health, or safety.