

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1600

By: Representative S. Meeks

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE STATE HIGHWAY COMMISSION UNDER AMENDMENT 42; TO REQUIRE THE STATE HIGHWAY COMMISSION TO DEVELOP A POLICY OF DIGGING ONCE TO INSTALL CONDUIT PIPE DURING ROADWAY CONSTRUCTION; TO ENCOURAGE THE EXPANSION OF BROADBAND; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE STATE HIGHWAY COMMISSION UNDER AMENDMENT 42; AND TO ENCOURAGE THE EXPANSION OF BROADBAND BY ENCOURAGING A "DIG ONCE POLICY".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. TEMPORARY LANGUAGE. DO NOT CODIFY. State Highway Commission – "Dig once policy" – Legislative intent – Definition.

(a) As used in this section, "dig once policy" means a policy or practice that minimizes the number and scale of excavations when installing telecommunication infrastructure in a highway right-of-way.

(b) It is the intent of the General Assembly that the State Highway Commission develop and encourage a "dig once policy" to expand broadband within the state by installing empty conduit pipe in state highway right-of-ways during roadway construction to allow access by telecommunication providers to ready-made, buried conduit piping without additional construction.



(c) On or before December 31, 2021, the commission shall develop a policy that:

(1) Encourages a "dig once policy";

(2) Determines the feasibility of installing empty conduit pipe in state highway right-of-ways during any roadway construction project;

(3) Requires the installation of empty conduit pipe in state highway right-of-ways during any roadway construction project, if feasible;
and

(4) Provides information and access to ready-made buried conduit piping that enables a telecommunications provider to utilize the conduit without additional construction on the roadway.

(d) The commission shall develop rules to implement this section.

SECTION 2. DO NOT CODIFY. Rules.

(a) When adopting the initial rules required under this act, the State Highway Commission shall file the final rules with the Secretary of State for adoption under § 25-15-204(f):

(1) On or before November 1, 2021; or

(2) If approval under § 10-3-309 has not occurred by November 1, 2021, as soon as practicable after approval under § 10-3-309.

(b) The commission shall file the proposed rules with the Legislative Council under § 10-3-309(c) sufficiently in advance of November 1, 2021, so that the Legislative Council may consider the rules for approval before November 1, 2021.