

House _____ Amendment NO. _____

Offered By

1 AMEND Senate Substitute for Senate Bill No. 705, Page 1, Section A, Line 3, by inserting after all
2 of said section and line the following:

3
4 "227.240. 1. The location and removal of all telephone, cable television, and electric light
5 and power transmission lines, poles, wires, and conduits and all pipelines and tramways,
6 erected or constructed, or hereafter to be erected or constructed by any corporation,
7 municipality, public water supply district, sewer district, association or persons, within the
8 right-of-way of any state highway, insofar as the public travel and traffic is concerned, and
9 insofar as the same may interfere with the construction or maintenance of any such highway,
10 shall be under the control and supervision of the state highways and transportation
11 commission.

12 2. A cable television corporation or company shall be permitted to place its lines within the
13 right-of-way of any state highway, consistent with the rules and regulations of the state highways
14 and transportation commission. The state highways and transportation commission shall establish a
15 system for receiving and resolving complaints with respect to cable television lines placed in, or
16 removed from, the right-of-way of a state highway.

17 3. The department of transportation may establish a utility corridor for the placement of
18 utility facilities on the right-of-way of highways in the state highway system. Such utility corridor
19 shall be up to twelve feet in width and placed within the existing right-of-way when space is
20 reasonably available, with the location of the utility corridor to be determined by the state highways
21 and transportation commission. The commission shall promulgate rules setting forth a standardized
22 statewide system for requesting and issuing variances to requirements set forth in this section.

23 4. The commission or some officer selected by the commission shall serve a written notice
24 upon the entity, person or corporation owning or maintaining any such lines, poles, wires, conduits,
25 pipelines, or tramways, which notice shall contain a plan or chart indicating the places on the right-
26 of-way at which such lines, poles, wires, conduits, pipelines or tramways may be maintained. The
27 notice shall also state the time when the work of hard surfacing said roads is proposed to commence,
28 and shall further state that a hearing shall be had upon the proposed plan of location and matters
29 incidental thereto, giving the place and date of such hearing. Immediately after such hearing the
30 said owner shall be given a notice of the findings and orders of the commission and shall be given a
31 reasonable time thereafter to comply therewith; provided, however, that the effect of any change
32 ordered by the commission shall not be to remove all or any part of such lines, poles, wires,
33 conduits, pipelines or tramways from the right-of-way of the highway. The removal of the same
34 shall be made at the cost and expense of the owners thereof unless otherwise provided by said
35 commission, and in the event of the failure of such owners to remove the same at the time so
36 determined they may be removed by the state highways and transportation commission, or under its

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1 direction, and the cost thereof collected from such owners, and such owners shall not be liable in
2 any way to any person for the placing and maintaining of such lines, poles, wires, conduits,
3 pipelines and tramways at the places prescribed by the commission.

4 [4:] 5. The commission is authorized in the name of the state of Missouri to institute and
5 maintain, through the attorney general, such suits and actions as may be necessary to enforce the
6 provisions of this section. Any corporation, association or the officers or agents of such
7 corporations or associations, or any other person who shall erect or maintain any such lines, poles,
8 wires, conduits, pipelines or tramways, within the right-of-way of such roads which are hard-
9 surfaced, which are not in accordance with such orders of the commission, shall be deemed guilty of
10 a misdemeanor."; and

11
12 Further amend said bill by amending the title, enacting clause, and intersectional references
13 accordingly.