

HOUSE BILL NO. 143

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Transportation

on February 8, 2024)

(Patron Prior to Substitute--Delegate Reid)

A BILL to amend the Code of Virginia by adding in Article 4 of Chapter 2 of Title 33.2 a section numbered 33.2-280.2, relating to utility work database.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 4 of Chapter 2 of Title 33.2 a section numbered 33.2-280.2 as follows:

§ 33.2-280.2. Utility work database.

A. As used in this section:

"Service connection" means any utility facility installed overhead or underground between a distribution main, pipelines, conduits, lines, wires, or other sources of supply and the premises of the individual customer.

"Utility work" means the construction, installation, removal, or substantial maintenance of a privately, publicly, or cooperatively owned line, facility, or system for producing, transmitting, or distributing telecommunications, cable television, electricity, gas, oil, petroleum products, water, steam, storm water not connected with highway drainage, or any other similar commodity, including any fire or police signal system. "Utility work" does not include emergency maintenance or repairs or any work directly related to any individual service connection or service drop.

B. The Department shall establish and maintain a publicly accessible database and map of all utility work that has been approved by the Department and will occur within a highway right-of-way in a residential neighborhood, as specified by the utility. Such database shall include the location where such work will occur, the start date of such work, the projected end date of such work, the company administering such work, and any other relevant information; however, under no circumstances shall such

27 database and map provide information on any (i) utility work within a right-of-way not maintained by the
28 Department; (ii) critical utility infrastructure, as designated by the utility, that, upon disclosure, has the
29 potential to jeopardize security or critical services, including Critical Energy Infrastructure Information
30 and Controlled Unclassified Information; or (iii) information the permittee has designated as confidential.
31 Such information shall be available in the database at least seven days prior to the start date of any such
32 utility work and shall be deleted from such database 90 days after the completion of such work.

33 **2. That any actions necessary to promulgate amendments to the regulations of the Department of**
34 **Transportation or the Commonwealth Transportation Board to implement the provisions of this**
35 **act shall be exempt from the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).**

36 **3. That the provisions of this act shall become effective on January 1, 2025.**