

1 HB135
2 147145-1
3 By Representative Wallace
4 RFD: Transportation, Utilities and Infrastructure
5 First Read: 05-FEB-13

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8 SYNOPSIS: This bill would require railroads doing
9 business in the state to provide, upon request by a
10 governmental entity such as the state or a county,
11 city, or other municipality an easement for the
12 construction, repair, or maintenance of any road,
13 bridge, or other transportation facility within the
14 jurisdiction of the governmental entity.

15
16 A BILL
17 TO BE ENTITLED
18 AN ACT
19

20 To require a railroad to provide, upon request of a
21 governmental entity, an easement for the construction, repair,
22 or maintenance of any road, bridge, or other transportation
23 facility within the jurisdiction of the governmental entity.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. For purposes of this act, the following
26 words shall have the following meanings:

1 (1) GOVERNMENTAL ENTITY. The state and its
2 departments and agencies, any county, or any city or town.

3 (2) RAILROAD. Any railroad doing business within the
4 geographic boundaries of the state.

5 Section 2. Any railroad doing business in the state,
6 upon request of a governmental entity, shall provide an
7 easement for the purpose of construction, repair, or
8 maintenance of any road, bridge, or other transportation
9 facility under the jurisdiction of the governmental entity.
10 The railroad and the governmental entity shall determine the
11 extent and location of the easement. The railroad shall
12 provide the easement to the governmental entity without cost
13 or expense to the governmental entity.

14 Section 3. This act shall become effective
15 immediately following its passage and approval by the
16 Governor, or its otherwise becoming law.