

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1600

5 By: Representative S. Meeks
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For An Act To Be Entitled

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

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16 TO AMEND THE LAW CONCERNING THE STATE
17 HIGHWAY COMMISSION UNDER AMENDMENT 42;
18 AND TO ENCOURAGE THE EXPANSION OF
19 BROADBAND BY ENCOURAGING A "DIG ONCE
20 POLICY".
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. TEMPORARY LANGUAGE. DO NOT CODIFY. State Highway
27 Commission - "Dig once policy" - Legislative intent - Definition.

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

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



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

3 (1) Encourages a "dig once policy";

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

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

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

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

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14 SECTION 2. DO NOT CODIFY. Rules.

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

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

19 (2) If approval under § 10-3-309 has not occurred by November 1,
20 2021, as soon as practicable after approval under § 10-3-309.

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