

Requested by Representative MARSH

**PROPOSED AMENDMENTS TO
HOUSE BILL 2411**

1 On page 1 of the printed bill, after line 13, insert:

2 “(4) ‘State highway’ has the meaning given that term in ORS 366.005.”.

3 In line 14, delete “(4)” and insert “(5)”.

4 In line 18, delete “(5)” and insert “(6)”.

5 Delete lines 21 through 29 and insert:

6 **“SECTION 2. (1) The Oregon Broadband Office within the Oregon**
7 **Business Development Department shall develop a registry of tele-**
8 **communications providers in this state. The office shall update the**
9 **registry no less than once per year and shall make the most recently**
10 **updated registry available to the Department of Transportation.**

11 **“(2) The Department of Transportation shall identify potential**
12 **projects included in the Statewide Transportation Improvement Pro-**
13 **gram for which notification under subsection (3) of this section is re-**
14 **quired. Potential projects eligible for identification under this**
15 **subsection:**

16 **“(a) Must, except as otherwise provided in paragraph (b) of this**
17 **subsection, include projects on a state highway that involve the con-**
18 **struction of underground utility infrastructure, road construction,**
19 **road resurfacing or other work that will result in longitudinal**
20 **trenching spanning a minimum length to be determined by the de-**
21 **partment by rule and that could reasonably include, or prepare for, the**

1 **installation of broadband conduit; and**

2 **“(b) May only include projects on an interstate highway to the extent otherwise authorized under federal or state law.**

4 **“(3) For each project identified under subsection (2) of this section, the department shall timely notify each telecommunications provider on the registry established under subsection (1) of this section:**

7 **“(a) That the project has been identified as suitable for coordination with telecommunication providers;**

9 **“(b) Of the telecommunication provider’s opportunity to coordinate with the department to accommodate installation of underground utility infrastructure; and**

12 **“(c) Of the process for submitting a statement of interest to coordinate with the department on the project.**

14 **“(4) The department shall provide each telecommunications provider that receives a notice under subsection (3) of this section no less than 30 days from the date the notice is issued to submit to the department a statement of interest to coordinate with the department.**

18 **“(5) This section does not require the department to provide notice of an opportunity to coordinate for the installation of underground utility infrastructure directly to any telecommunications provider, other utility or any other entity in a manner not described in this section.”.**

23 On page 2, delete lines 1 through 23.

24 In line 25, after “notice” delete the rest of the line and insert “under section 2 of this 2021 Act, the department”.

26 In line 27, delete “(4)(b)” and insert “(4)” and after “whether” delete the rest of the line and delete lines 28 and 29 and insert “accommodation of installation of underground utility infrastructure is appropriate.”.

29 In line 35, delete “whether the scope of a project should be modified” and insert “how”.

- 1 In line 38, delete “and”.
- 2 Delete line 39 and insert:
- 3 “(d) Procedures for permitting processes; and
- 4 “(e) Protest procedures.”.
- 5 _____