

AMENDED IN SENATE JUNE 22, 2016

AMENDED IN SENATE MAY 16, 2016

AMENDED IN ASSEMBLY JANUARY 14, 2016

AMENDED IN ASSEMBLY JANUARY 13, 2016

AMENDED IN ASSEMBLY JANUARY 4, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1549**

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**Introduced by Assembly Member Wood**

September 11, 2015

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An act to add Section 14051 to the Government Code, relating to highways.

LEGISLATIVE COUNSEL'S DIGEST

AB 1549, as amended, Wood. Department of Transportation: state highway rights-of-way: fiber optic cables.

Existing law provides that the Department of Transportation has full possession and control of state highways and associated property. Existing law provides for the department to issue encroachment permits with respect to structures and activities in, under, or over any portion of the right-of-way of a state highway.

This bill would require the department to maintain an inventory *on a centralized database* of all broadband conduits *that house fiber optic communication cables and are owned by the department that house fiber optic communication cables, that are department*, located on state highway rights-of-way, and ~~that are~~ installed on or after January 1, 2017, and to make that information available upon request of ~~verified~~

companies or organizations working on broadband deployment. The bill would require the department to notify ~~verified those~~ companies and organizations *on its Internet Web site* of *specified* department-led highway construction projects and would authorize ~~verified those~~ companies or organizations to collaborate with the department to install a broadband conduit as part of each project. The bill would require the department, as part of each project, to install broadband conduit capable of supporting fiber optic communication cables if no ~~verified~~ company or organization *working on broadband deployment* collaborates with the department and no broadband conduit previously exists in a project area.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
 State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 14051 is added to the Government Code,  
 2 to read:  
 3 14051. (a) ~~The~~ *For purposes of this section, “companies or*  
 4 *organizations working on broadband deployment” includes, but*  
 5 *is not limited to, local governments, nonprofit organizations, and*  
 6 *telephone corporations, as defined in Section 234 of the Public*  
 7 *Utilities Code.*  
 8 (b) *The department shall maintain an inventory on a centralized*  
 9 *database of all broadband conduits that house fiber optic*  
 10 *communication cables and are owned by the department that house*  
 11 *fiber optic communication cables, that are department, located on*  
 12 *state highway rights-of-way, and that are installed on or after*  
 13 *January 1, 2017. The department shall make the information*  
 14 *available upon request of verified companies or organizations*  
 15 *working on broadband deployment.*  
 16 ~~(b)~~  
 17 (c) (1) *During the design phase of a department-led highway*  
 18 *construction project, project that is parallel to the highway, spans*  
 19 *at least two overpasses, and involves construction methods that*  
 20 *are suitable for installing broadband conduit, the department shall*  
 21 *notify verified companies and organizations working on broadband*  
 22 *deployment of the project on its Internet Web site to encourage*  
 23 *collaborative broadband installations.*

1 (2) For the purpose of supporting fiber optic communication  
2 cables, after receiving notification from the department, a ~~verified~~  
3 company or organization *working on broadband deployment* may  
4 collaborate with the department to install a broadband conduit as  
5 part of the project.

6 (3) If no ~~verified~~ company or organization *working on*  
7 *broadband deployment* collaborates with the department and no  
8 broadband conduit previously exists in the project area, the  
9 department, as part of the project, shall install a broadband conduit  
10 capable of supporting fiber optic communication cables.

11 (4) Nothing in paragraphs (1) to (3), inclusive, requires the  
12 department to report on cables owned by other entities.