

# ACCESS TO PUBLIC RIGHTS-OF-WAY AND EASEMENTS IN UNINCORPORATED AREAS

## UTILITIES CODE TITLE 4, SUBTITLE B, CHAPTER 181, SUBCHAPTER F, SECTION 181.101 - 181.104

### SUBCHAPTER F. PROVISIONS APPLYING TO COMMUNITY ANTENNA AND CABLE TELEVISION UTILITIES

#### § 181.101. Definitions

§§§§ In this subchapter:

§§§§(1) "Equipment" means a line, wire, cable, pipe, conduit, conductor, pole, or other facility for the transmission of community antenna or cable television service.

§§§§(2) "Person" means an individual, firm, or corporation.

Acts 1997, 75th Leg., ch. 166, § 1, eff. Sept. 1, 1997.

#### § 181.102. Authority to Install and Maintain Equipment

§§§§(a) In an unincorporated area, a person in the business of providing community antenna or cable television service to the public may install and maintain equipment through, under, along, across, or over a utility easement, a public road, an alley, or a body of public water in accordance with this subchapter.

§§§§(b) The installation and maintenance of the equipment must be done in a way that does not unduly inconvenience the public using the affected property.

Acts 1997, 75th Leg., ch. 166, § 1, eff. Sept. 1, 1997.

#### § 181.103. Notice to State or County

§§§§(a) A person proposing to install equipment under Section 181.102 in the right-of-way of a state highway or a county road shall give notice of the proposal to:

§§§§(1) the Texas Department of Transportation if the proposal relates to a state highway; or

§§§§(2) the commissioners court of the county if the proposal relates to a county road.

§§§§(b) On receipt of the notice, the Texas Department of Transportation or commissioners court may designate the location in the right-of-way where the person may install the equipment, if the equipment is not to be installed on an existing facility.

Acts 1997, 75th Leg., ch. 166, § 1, eff. Sept. 1, 1997.

#### § 181.104. Relocation of Equipment to Allow Change to Traffic Lane

§(a) The authority of the Texas Department of Transportation under this section is limited to equipment installed in connection with a state highway. The authority of the commissioners court under this section is limited to equipment installed in connection with a county road.

§(b) The Texas Department of Transportation or the commissioners court of a county may require a person who has installed equipment in the right-of-way of a state highway or county road to relocate the person's equipment to allow the widening or other changing of a traffic lane.

§(c) To impose a requirement under this section, the Texas Department of Transportation or the commissioners court, as appropriate, must give to the person written notice of the requirement not later than the 45th day before the date the relocation is to be made. The notice must identify the equipment to be relocated and indicate the location in the right-of-way where the person may reinstall the equipment.

§(d) The person shall pay the cost of repairing a state highway or county road damaged by the relocation.

Acts 1997, 75th Leg., ch. 166, § 1, eff. Sept. 1, 1997

---