

SENATE, No. 4299

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JANUARY 4, 2022

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

Senator BRIAN P. STACK

District 33 (Hudson)

SYNOPSIS

Requires certain entities to remove abandoned lines from poles and other structures to which abandoned or out-of-service lines are attached.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning the removal of abandoned lines by certain
2 entities and supplementing Title 48 of the Revised Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. As used in P.L. , c. (C.) (pending before the
8 Legislature as this bill):

9 “Abandoned” means any line that has not been in operation for a
10 period of at least twelve consecutive months.

11 “Board” means the Board of Public Utilities or any successor
12 agency.

13 “Department” means the Department of Community Affairs.

14 “Entity” means a person, municipality, utility, or corporation
15 having ownership of a line in this State, including ownership
16 acquired by sale or corporate merger.

17 “Line” means an above-ground cable or wire attached to a pole,
18 building, or other structure, used for the provision of any
19 telecommunications or utility service, and shall include any
20 equipment or facility associated with that line attached to that pole,
21 building, or other structure.

22 “Telecommunications service” means the electronic
23 transmission, conveyance, or routing of voice, data, audio, video, or
24 any other information or signals to a point, or between or among
25 points.

26 “Utility” means any “public utility” as defined in R.S.48:2-13, or
27 “local utility” as defined in section 3.1 of P.L.1975, c.291
28 (C.40:55D-4).

29
30 2. a. Notwithstanding any law, rule, regulation, or order to the
31 contrary, and in accordance with federal law, an entity owning a
32 line that is abandoned or permanently out of service shall remove
33 that line from all points of attachment.

34 b. Following the effective date of P.L. , c. (C.)
35 (pending before the Legislature as this bill) and in accordance with
36 federal law, an entity that installs, or otherwise maintains, a line
37 over which the entity has ownership shall mark both ends of the line
38 with the initials of the entity’s name, abbreviation of the entity’s
39 name, corporate symbol, or other distinguishing mark or code by
40 which ownership may be readily and definitely ascertained.

41
42 3. a. Twelve months after the effective date of
43 P.L. , c. (C.) (pending before the Legislature as this bill),
44 in accordance with federal law and any applicable pole attachment
45 agreement, the owner of a pole, building, or other structure to which
46 a suspected abandoned line is attached may send a written request
47 to the entity owning that line to request removal if the line is found
48 to be abandoned by the entity.

S4299 RUIZ, STACK

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1 The bill requires the BPU and DCA to promulgate rules and
2 regulations to implement the provisions of the bill for entities under
3 their respective jurisdictions.