



ADMINISTRATIVE RULES OF MONTANA



18.7.201 PURPOSE OF UTILITY OCCUPANCY REGULATIONS

- (1) The purpose of these regulations is to prescribe conditions under which utility facilities may be accommodated on right-of-way of highways under the jurisdiction of the department of transportation. The principal objectives of these regulations are to achieve maximum public use of such highway right-of-way consistent with the laws of the state of Montana while yet providing maximum public safety, environmental protection, preservation of the highway investment and minimization of future conflicts between highway and utility facilities.
- (2) These regulations are adopted and promulgated pursuant to the authority of the state of Montana department of transportation, hereinafter referred to as the department, to regulate occupancy of highway right-of-way. 23 CFR part 645, subpart B, has been used as a guideline in establishing the policies and procedures set forth in these regulations to the extent the provisions of 23 CFR part 645, subpart B, are not inconsistent with the Constitution and laws of the state of Montana or with special local conditions and circumstances.

Authorizing statute(s): Sec. 60-3-101 and 60-4-402 MCA

Implementing statute(s): Sec. 60-3-101 and 60-4-402 MCA

History: Eff. 12/31/72; AMD, 1995 MAR p. 854, Eff. 5/12/95.