



General Assembly

January Session, 2019

Committee Bill No. 5308

LCO No. 3568



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT CONCERNING VEGETATION MANAGEMENT ALONG STATE HIGHWAYS BY THE DEPARTMENT OF TRANSPORTATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective from passage*) (a) The Department of
2 Transportation shall develop guidelines governing the management of
3 vegetation and tree removal along state highways. Such guidelines
4 shall include provisions for, but shall not be limited to: (1) Safety of the
5 traveling public, (2) general roadside vegetation management activities
6 performed by the department, including, but not limited to, mowing,
7 herbicide application, grassing, replanting, limb management, tree
8 removal and debris removal, (3) beautification and enhancements, (4)
9 visibility enhancement, (5) work zone traffic control, and (6) worker
10 safety. For vegetation management and tree removal, such guidelines
11 shall require the department to consider the environmental impact of
12 such work, including, but not limited to: (A) Preventing invasive tree,
13 brush or plant species growth and impact; (B) storm water run-off; (C)
14 erosion; (D) replanting of vegetation species to expand and improve
15 pollinator corridor habitat; (E) reduced mowing; and (F) the effect on
16 scenic highways or other similarly designated roadways.
- 17 (b) Such guidelines concerning vegetation management shall be

18 reviewed and approved by a licensed arborist if the services of such a
 19 licensed arborist are available from a licensed arborist who is
 20 employed at either the Department of Energy and Environmental
 21 Protection or the Department of Transportation.

22 (c) The guidelines developed pursuant to this section shall be: (1)
 23 Posted on the Department of Transportation's Internet web site, (2)
 24 updated, as necessary, to comply with provisions of federal and state
 25 law concerning vegetation management on state highways, and (3)
 26 reviewed by all maintenance and contractor personnel prior to the
 27 commencement of any vegetation management activity.

28 (d) The provisions of this section shall not apply to the removal of
 29 any trees or vegetation that constitute an immediate public hazard or
 30 any Department of Transportation construction project that constitutes
 31 such an immediate public hazard.

32 (e) A copy of the guidelines developed in accordance with this
 33 section shall be provided by the Department of Transportation to the
 34 joint standing committees of the General Assembly having cognizance
 35 of matters relating to the environment and transportation.

36 Sec. 2. (NEW) (*Effective from passage*) Not later than May first of each
 37 year, the Department of Transportation shall report the amount of
 38 funds the department allocated for vegetation management for the
 39 remainder of the calendar year to the joint standing committees of the
 40 General Assembly having cognizance of matters relating to the
 41 environment and finance.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>from passage</i> | New section |
| Sec. 2 | <i>from passage</i> | New section |

ENV *Joint Favorable*