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:

Section 1. (NEW) (Effective from passage) (a) The Department of Transportation shall develop guidelines governing the management of vegetation and tree removal along state highways. Such guidelines shall include provisions for, but shall not be limited to: (1) Safety of the traveling public, (2) general roadside vegetation management activities performed by the department, including, but not limited to, mowing, herbicide application, grassing, replanting, limb management, tree removal and debris removal, (3) beautification and enhancements, (4) visibility enhancement, (5) work zone traffic control, and (6) worker safety. For vegetation management and tree removal, such guidelines shall require the department to consider the environmental impact of such work, including, but not limited to: (A) Preventing invasive tree, brush or plant species growth and impact; (B) storm water run-off; (C) erosion; (D) replanting of vegetation species to expand and improve pollinator corridor habitat; (E) reduced mowing; and (F) the effect on scenic highways or other similarly designated roadways.
(b) Such guidelines concerning vegetation management shall be reviewed and approved by a licensed arborist if the services of such a licensed arborist are available from a licensed arborist who is employed at either the Department of Energy and Environmental Protection or the Department of Transportation.

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

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

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

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

This act shall take effect as follows and shall amend the following sections:

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<td>Section 1</td>
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<td>Sec. 2</td>
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Statement of Purpose:
To establish guidelines that govern vegetation management along state highways by the Department of Transportation.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. D'AGOSTINO, 91st Dist.

H.B. 5308