



RESEARCH MEMORANDUM

Executive Summary

While Florida, Georgia, North Carolina, and Virginia utility relocation requirements are similar, emphasizing coordination between a state’s Department of Transportation and clearly defining the costs each party is responsible for, several distinct best practices exist.

Florida defines specific responsibilities for FDOT and utility owners, uses color-coded status plans to track progress, and ties reimbursement procedures directly to statute. Georgia requires utility owners to submit a revised Work Plan within 30 days of changed conditions regarding a relocation, establishes a formal escalation pathway for disputes embedded in state law, and sets notification between utility owners and GDOT to reduce repeat relocations. North Carolina emphasizes a formal relocation agreement before reimbursable work begins, while Virginia focuses on the use of tracking systems to monitor impacts, and Utility Work Agreements to clearly define reimbursable costs and prevent project delays.

Research Methods

Statutory review of Florida, Georgia, North Carolina, and Virginia utility relocation requirements and processes

Findings and Analysis

Utility relocation occurs when existing utility systems interfere with infrastructure construction projects. All the states of focus (Florida¹, Georgia², North Carolina³, and Virginia⁴) require that utilities that conflict with Department of Transportation projects must relocate. Below is an outline of utility relocation requirements, expenses, responsibilities, and procedural requirements for each state.

Florida

The [Florida Utility Accommodation Manual](#) creates a distinction between utilities that occupy public right-of-way under a permit and those that hold compensable property interest. Utilities that are installed under a FDOT utility permit are granted permission to occupy the right-of-way but must relocate when required by FDOT due to the lack of property right.⁵ If a utility has a compensable property interest predating the FDOT construction project, there may be different legal considerations surrounding the relocation and the party responsible for the relocation cost.

If a utility occupies right-of-way by permit only, relocation is typically at the expense of the utility owner. The utility owner may be eligible for reimbursement from FDOT when they own compensable property interest or if federal funding is involved.⁶

¹ [Section 337.403, F.S.](#)

² [O.C.G.A. § 32-6-171](#)

³ [N.C. Gen. Stat. § 136-18](#)

⁴ [Virginia Code § 33.2-1014](#)

⁵ [Florida Utility Accommodation Manual Section 2.1](#)

⁶ [Florida Utility Accommodation Manual Section 5.3](#)



For coordinating utility relocation, FDOT must notify utility owners when an infrastructure project is included in the department’s work program to allow a reasonable timeframe for the utility relocation to occur. The utility owners are responsible for identifying potential conflicts for the relocation and providing FDOT with documentation regarding the work schedules and color-coded status plans of the utility relocation.⁷

Florida best practices for utility relocation for public right-of-way projects include early project coordination between FDOT and utility owners to identify potential utility conflicts prior to construction. Utilizing clearly defined responsibilities for FDOT and utility owners allows consistent communication between the parties to ensure efficient cooperation during the utility relocation. The requirement for utility owners to provide FDOT with color-coded status plans for tracking the relocation progress eliminates ambiguity for when the infrastructure project can proceed post-relocation. Clearly defining reimbursement procedures based on the circumstances of the right-of-way (permit only, compensable property interest, or federal involvement) and tying the procedures to statutes prevents possible legal action that may occur from financial disputes.

Georgia

The [Georgia Utility Accommodation Policy and Standards](#) create a distinction between utilities that occupy public right-of-way under a permit and those that hold a legally recognized property interest. Utilities under GDOT permit are authorized for the installation of the utility but do not imply a right to the property. If GDOT requires that the utility must relocate for an infrastructure project, the utility owner must comply. If the utility holds a legally recognized property interest, the utility owner may request reimbursement for the relocation.⁸

If a utility occupies right-of-way by permit only, relocation is typically at the expense of the utility owner. For a situation when a utility owner fails to properly locate facilities in accordance with alignment and grade requirements, GDOT may require a second relocation at the utility owner’s expense. The utility owner may be eligible for GDOT reimbursement when the utility holds a compensable property interest, the relocation qualifies under Georgia state statute, and a reimbursement agreement exists between the two parties.⁹

The Georgia Utility Accommodation Policy and Standards require consistent coordination between GDOT and utility owners throughout the relocation process. Requirements include identification of potential conflicts, submissions of work schedules and alternative traffic control plans prior to relocation beginning, notifying the State and District Utilities Engineers of the timespan during which the relocation will occur, and, if additional relocation becomes necessary, revised work plans within 30 days of when the initial relocation conditions change.¹⁰

Georgia best practices for utility relocation include requiring utility owners to submit a revised workplan within 30 days of unforeseen circumstances to GDOT to ensure the development of a restructured timeline and open communication between all parties. Embedding reimbursement requirements in state statutes established a legal pathway for disputes to follow if there is escalation between the parties. The requirement that utility owners notify State and District Utilities Engineers of the timespan for when the relocation will occur reduces the likelihood that multiple relocations will be necessary.

North Carolina

The [North Carolina Utility Accommodation Manual](#) creates a distinction between utilities that occupy public right-of-way under a permit and those that hold compensable property interest. Utilities installed under a NCDOT encroachment or

⁷ [Florida Utility Accommodation Manual Section 5.1](#)

⁸ [O.C.G.A. § 32-6-171](#)

⁹ [GDOT Utility Accommodation Policy and Standards Chapter 2.2](#)

¹⁰ [GDOT Utility Accommodation Policy and Standards Chapter 4](#)



utility permit are granted permission to occupy the right-of-way but must relocate if NCDOT determines a need for public transportation use of the corridor. If a utility owner has a recorded easement, franchise right, or fee title for the utility that predates the NCDOT acquisition of right-of-way, the utility owner may be considered a compensable property interest under North Carolina statute.¹¹

If a utility occupies right-of-way by permit only, relocation is typically at the expense of the utility owner. A utility owner may apply for NCDOT reimbursement if they hold a compensable property interest under North Carolina law that predates acquisition by NCDOT. Additionally, a utility owner may be eligible for reimbursement from NCDOT when the infrastructure project involves federal funds.¹²

NCDOT must communicate design plans and proposed right-of-way limits to utility owners to ensure adequate time for utility relocation. Furthermore, the responsibility to identify potential conflicts falls on NCDOT. Utility owners must identify utility facilities that are within the infrastructure project area, review roadway plans for potential conflicts, and submit relocation work plans and schedules to NCDOT. Utility owners must maintain communication with NCDOT Division Utility staff throughout the relocation process.¹³

North Carolina best practices for utility relocation emphasize an agreement-based approach regarding reimbursement. A formal utility relocation agreement must exist between the utility owner and NCDOT prior to potentially reimbursable work commencing. Furthermore, utilizing state law to identify the parameters of compensable property interests provides statutory support for defining the reimbursement process. The requirements for utility owners to maintain consistent communication with NCDOT Division Utility staff ensure that the timeline for utility relocation aligns with the contracted schedule of the infrastructure project and integrates utility adjustments into the timeline of the entire project.

Virginia

The [Virginia Utility Manual of Instructions](#) creates a distinction between utilities that occupy public right-of-way under a permit and those that hold compensable property interest. When a utility occupies VDOT right-of-way under a utility permit, the right-of-way is owned by the Commonwealth with no compensable property interest held by the utility owner. If VDOT requires the utility to relocate for an infrastructure project, the utility owner must comply. If a utility owner holds a recorded easement predating the right-of-way acquisition by VDOT or a fee ownership within the project area, the utility owner may possess a compensable property interest and may apply for VDOT reimbursement.¹⁴

If a utility occupies right-of-way under a permit and does not have a compensable property interest, the utility owner is responsible for the relocation expenses. When the utility holds a compensable property interest or federal funding is involved, the utility owner may be eligible for VDOT reimbursement.¹⁵

The Virginia Utility Manual of Instructions requires that VDOT and utility owners coordinate during initial project design, both identifying the impacted utilities, conducting field investigations, and developing a metric to track the impacts of the infrastructure project. Additionally, the parties must communicate relocation plans and schedules. During circumstances where utility owners may receive VDOT reimbursement, the parties must enter Utility Work Agreements to distinguish between the costs of the required relocation and the infrastructure upgrades.¹⁶

¹¹ [NCDOT Utility Accommodation Manual Section 1.2.1](#)

¹² [NCDOT Utility Accommodation Manual Section 4.4](#)

¹³ [NCDOT Utility Accommodation Manual Section 4.1.5](#)

¹⁴ [VDOT Utility Manual of Instructions Chapter 7.3.5](#)

¹⁵ [VDOT Utility Manual of Instructions Chapter 3](#)

¹⁶ [VDOT Utility Manual of Instructions Chapter 6](#)



Virginia best practices for utility relocation focus on identifying potential conflicts early. During preliminary design meetings, VDOT and utility owners identify the utilities the infrastructure project will impact and develop a system to track potential issues as the relocation progresses. Furthermore, the use of Utility Work Agreements between involved parties for circumstances involving VDOT reimbursement prevents confusion at the time of payment and strictly defines the costs used for utility relocation versus other project purposes. The emphasis on constant communication and project tracking between VDOT and utility owners during relocation aid in preventing overall project delays with verifiable milestones for each stage in the process.