

**AMENDMENT**

**OFFERED BY MS. SCHOLTEN OF MICHIGAN**

At the end of subtitle A of title I of the bill, add the following:

1 **SEC. 13 \_\_\_\_ . ACCOMMODATION OF CERTAIN FACILITIES IN**  
2 **RIGHT-OF-WAY.**

3 (a) **IN GENERAL.**—Notwithstanding chapter 1 of title  
4 23, United States Code, energy generation facilities,  
5 transmission and distribution infrastructure, and  
6 broadband infrastructure and conduit shall be treated as  
7 a facility covered under part 645 of title 23, Code of Fed-  
8 eral Regulations (or successor regulations), for purposes  
9 of being accommodated under section 109(1) of title 23,  
10 United States Code.

11 (b) **STATE APPROVAL.**—A State, on behalf of the  
12 Secretary of Transportation, may approve the accommo-  
13 dation of the infrastructure and facilities described in sub-  
14 section (a) within any right-of-way on a Federal-aid high-  
15 way pursuant to section 109(1) of title 23, United States  
16 Code.

