

Senate Bill 18-167

CCI Conference
Wednesday, June 6th 2018
Keystone, Colorado

Panel

- ▶ Dale Miller- CARSE
- ▶ Ted Jensen- Larimer County Road & Bridge
- ▶ Jeb French- Xcel Energy
- ▶ Marty Mead- Colorado 811

Exemptions:

- Routine maintenance on existing planted landscapes
- Excavation by a Rancher or Farmer
 - For routine existing agricultural activity
 - Land clearing that does not involve deep ripping or deep root removal
 - Routine maintenance of existing irrigation facilities
 - Existing fence lines

FAQ:

- ▶ Did the definition for exemptions change under the new law?

Answer: Yes, there are several modifications in the new law regarding exemptions they include: farmers/ranchers. Although, these exemptions exist it is extremely dangerous to dig without first notifying Colorado 811 for the location of underground facilities.

Subsurface Utility Engineering

- ▶ Will be a requirement under the following conditions:
 - The project involves a construction contract with a public entity
 - The project involves horizontal construction (not buildings)
 - Exceeds two feet in depth and is a contiguous 1000 square feet
 - Involves Utility Boring
- ▶ Will meet or exceed ASCE 38 standard
- ▶ Will be at the Project Owners expense

FAQ:

- ▶ How will licensed professional engineers receive documentation related to Subsurface Utility Engineering Notifications?

Answer: Within 10 days of the notice provided, licensed professional engineers will receive documentation directly from the facility owner/operator.

Dig Area Description

- ▶ If a dig area cannot be accurately described on the locate request one of the following methods may be used:
 - White lining or pre-marking of the dig area
 - Electronic delineation on a map, plan sheet or aerial photograph
 - Schedule an on-site meeting between the excavator and the locator

Secondary Excavator

- ▶ An Excavator may list a “single” secondary excavator on the ticket for the sole purpose of exposing (potholing) the marked facilities

FAQ:

- ▶ Can an excavator put another excavator on his/her ticket?
How many can you list on one ticket?

Answer: Yes- an excavator requiring existing marked underground facilities to be exposed may list a single secondary excavator on its notice to Colorado 811.

Locate Documentation

- ▶ Will be provided to the excavator through the notification association (CO 811)
- ▶ Will provide owner operator name and the size and type of each marked facility
- ▶ Will be in the form of a digital sketch, hand drawn sketch or a photograph

Sewer Systems

- ▶ System operators will provide the best available information on sewer laterals in the public right-of way
 - Will locate electronically if possible
 - Provide tap measurements of historical records
 - If the lateral is not electronically locatable it is the responsibility of the excavator to find the lateral
 - Owner/Operators are not responsible for damage to customer owned laterals

Positive Response

- ▶ All owner/operators must positively respond to the notification association (Colorado 811)
- ▶ Daily re-notifications will be sent out to the non responding owner operators until a positive response is received

Trenchless Excavation

When utilizing trenchless excavation methods, the excavator shall expose underground facilities and visually observe the safe crossing of marked underground facilities when requested to do so by the underground facility owner or operator or government agency that issued permit for the excavation.

New Underground Facilities

- ▶ All new underground facilities must be electronically locatable when installed

Enforcement: Safety Commission

- ▶ 15 member commission appointed by the governor
- ▶ Create Best Practices and Training to prevent damage
- ▶ Adhere to Marking and Documentation standards
- ▶ Review complaints related to the law
- ▶ Order remedial actions or penalties
- ▶ Fines from \$250.00 to \$75,000

FAQ:

- ▶ Will there be an entity responsible for holding stakeholders accountable under the new law?

Answer: Yes. A Colorado Safety Commission will have the responsibility to enforce the provisions of the law related to safe practices. The Safety Commission can impose penalties for failure to comply with the law. Home Rule cities may create a safety commission which also have the power to impose penalties for failure to comply with the law. Facility owners and operators and excavators may bring civil actions for damage claims separate from the actions of the Safety Commission.

True One Call System

- ▶ All underground facility owners and operators will be members of the notification association

FAQ:

- ▶ When will Tier Two Members need to start paying for tickets as a Tier 1 Member?

Answer: All Tier 2 members who convert to Tier 1 will not be charged outgoing transmission fees until 1/1/21.

Road Grading

- ▶ Annual road grading that does NOT exceed six inches depth can receive a locate request valid for up to 180 days
- ▶ Allows 10 business days for facility owners to coordinate the locate

FAQ:

- ▶ Are there new requirements regarding road grading?

Answer: Yes, there are new requirements regarding road grading. The Procedures Committee of Colorado 811 is currently devising specific procedures and guidelines that will be available within the next couple of months.

Questions?

Thank-you!