

SB 326

Under current law, all excavators are responsible for notifying the One-Call Center of a planned excavation.

69-4-503. Notification – locating and marking. (1) Before beginning an excavation, the excavator shall notify, through a one-call notification center, all owners of underground facilities in the area of the proposed excavation.

Liability

Under current law, an excavator is responsible for paying for the cost of repairing damaged utility property when:

- a. the excavator does not call the One-Call program, or
- b. the excavator did get a utility locate but was negligent in conducting the excavation.

The excavator is not liable for paying for the cost of repairing damaged utility property when:

- c. the excavator calls for a utility locate but the locate was inaccurate, or
- d. the excavator called for a utility locate but the locate was not conducted in two business days.

Under SB 326, an excavator would be assessed a damage fee only when the excavator fails to use the One-Call program and obtain a locate.