

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 SENATE BILL 1145

By: Anderson

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5
6 AS INTRODUCED

7 An Act relating to public health and safety; amending
8 63 O.S. 2001, Section 142.6, as last amended by
9 Section 4, Chapter 362, O.S.L. 2003 (63 O.S. Supp.
10 2007, Section 142.6), which relates to notice of
11 proposed demolition or excavation and location of
12 underground facilities; modifying length of certain
13 notice period; and providing an effective date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 63 O.S. 2001, Section 142.6, as
16 last amended by Section 4, Chapter 362, O.S.L. 2003 (63 O.S. Supp.
17 2007, Section 142.6), is amended to read as follows:

18 Section 142.6 A. Before an excavator shall demolish a
19 structure, discharge any explosive or commence to excavate in a
20 highway, street, alley or other public ground or way, on or near the
21 location of an operator's underground facilities, or a private
22 easement, such excavator shall first notify all operators in the
23 geographic area defined by the notification center who have on file
24 with the notification center a notice pursuant to Section 142.3 of
this title to determine whether any operators have underground

1 facilities in or near the proposed area of excavation or demolition.
2 When an excavator has knowledge that an operator does not have
3 underground facilities within the area of the proposed excavation,
4 the excavator need not notify the operator of the proposed
5 excavation. However, an excavator shall be responsible for damage
6 to the underground facilities of an operator if the notification
7 center was not notified. Notice shall be given no more than ~~ten~~
8 ~~(10)~~ thirty (30) days nor less than forty-eight (48) hours,
9 excluding Saturdays, Sundays and legal holidays, prior to the
10 commencement of the excavation or demolition.

11 B. Each operator served with notice in accordance with
12 subsection A above either directly or by notice to the notification
13 center shall, within forty-eight (48) hours after receipt of
14 verification from the notification center that the notice has been
15 accepted and acknowledged, excluding Saturdays, Sundays and legal
16 holidays, unless otherwise agreed to between the excavator and
17 operator, locate and mark or otherwise provide the approximate
18 location of the underground facilities of the operator in a manner
19 as to enable the excavator to employ hand-dug test holes to
20 determine the precise location of the underground facilities in
21 advance of excavation. The operators of a municipally owned water,
22 sewage, traffic control, communication facility or any other
23 municipally owned facility need only notify the excavator within the
24 prescribed period that they have facilities located in or near the

1 proposed area of excavation or demolition, the type of facilities
2 and their approximate location, if known. For the purpose of this
3 act, the approximate location of the underground facilities shall be
4 defined as a strip of land two (2) feet on either side of such
5 underground facilities. Whenever an operator is served with notice
6 of an excavation or demolition and determines that he does not have
7 underground facilities located within the proposed area of
8 excavation or demolition, the operator shall communicate this
9 information to the excavator originating the notice prior to the
10 commencement of such excavation or demolition.

11 C. The only exception to subsection A of this section shall be
12 when an emergency exists that endangers life, health or property.
13 Under these conditions, excavation operations may begin immediately,
14 providing reasonable precautions are taken to protect underground
15 facilities. All operators of underground facilities within the area
16 of the emergency must be notified promptly when an emergency
17 requires excavation prior to the location of the underground
18 facilities being marked.

19 D. Every notice given by an excavator to an operator pursuant
20 to this section or to the notification center pursuant to Section
21 142.3 of this title, shall contain at least the following
22 information:

- 23 1. The name of the individual serving such notice;
- 24

1 2. The location of the proposed area of excavation or
2 demolition;

3 3. The name, address and telephone number of the excavator or
4 excavator's company;

5 4. The excavator's field telephone number, if one is available;

6 5. The type and the extent of the proposed work;

7 6. Whether or not the discharging of explosives is anticipated;
8 and

9 7. The date and time when work is to begin.

10 E. In marking the approximate location of underground
11 facilities, an operator shall follow the standard color coding
12 described herein:

13 OPERATOR AND TYPE OF PRODUCT	SPECIFIC GROUP IDENTIFYING COLOR
14 Electric Power Distribution	
15 and Transmission	Safety Red
16 Municipal Electric Systems	Safety Red
17 Gas Distribution and	
18 Transmission	High Visibility Safety Yellow
19 Oil Distribution and	
20 Transmission	High Visibility Safety Yellow
21 Dangerous Materials, Product	
22 Lines, Steam Lines	High Visibility Safety Yellow
23 Telephone and Telegraph	
24 Systems	Safety Alert Orange

1 Police and Fire
2 Communications Safety Alert Orange
3 Cable Television Safety Alert Orange
4 Water Systems Safety Precaution Blue
5 Slurry Systems Safety Precaution Blue
6 Sewer Systems Safety Green

7 SECTION 2. This act shall become effective November 1, 2008.

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