

ACT No. 9

2021 Regular Session

HOUSE BILL NO. 69

BY REPRESENTATIVE MCKNIGHT

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AN ACT

To amend and reenact R.S. 40:1749.13(B)(4) and (D) and to enact R.S. 40:1749.14(C)(4), relative to underground utilities; to provide for excavation and demolition; to provide for notice; to provide for electronic drawings; to provide for physical markings; to provide for limitations; to provide for positive response; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1749.13(B)(4) and (D) are hereby amended and reenacted and R.S. 40:1749.14(C)(4) is hereby enacted to read as follows:

§1749.13. Excavation and demolition; prohibitions

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B.

* * *

(4) Notice shall be given and shall include a specific location request for excavation or demolition work to be performed at least forty-eight hours, but not more than one hundred twenty hours, excluding weekends and holidays, in advance of actual work commencement. Holidays shall consist of the following: New Year's Day; Good Friday; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Christmas Eve; and Christmas Day, or the days on which those holidays are observed by the state. The marking of an operator's facility or utility shall be provided for excavation or demolition purposes only. The excavator or demolisher shall provide the specific location for excavation or demolition with notice or physically mark the route or area of excavation or demolition using white paint,

1 flags, stakes, or similar means under American Public Works Association guidelines
2 prior to submitting notice.

3 * * *

4 D. ~~Excavators may use white paint as marking under American Public~~
5 ~~Works Association guidelines.~~ For purposes of this Section, any physical markings
6 or electronic drawings identifying a specific location as provided for in Subsection
7 B of this Section shall not exceed the actual area of excavation or demolition.

8 §1749.14. Regional notification center

9 * * *

10 C.

11 * * *

12 (4) Should an underground utility or facility operator determine that its
13 underground facilities are not in conflict with the location of the request or determine
14 that its underground facilities are not fully marked for locating purposes, a
15 notification shall be sent to the excavator prior to the mark-by time. A notification
16 to the regional notification center that generated the location request shall suffice for
17 compliance with this Section as it pertains to positive response.

18 * * *

19 Section 2. This Act shall become effective on January 2, 2022.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____