

RÉSUMÉ DIGEST

ACT 9 (HB 69)

2021 Regular Session

McKnight

Existing law requires excavators and demolishers to provide notice prior to excavating or demolishing.

Existing law requires the notice given to include a specific location request for excavation or demolition work to be performed at least 48 hours, but not more than 120 hours, in advance of the work commencing.

New law adds the requirement that the excavator or demolisher provide the specific location for excavation or demolition with notice or physically mark the route or area of excavation or demolition.

New law provides guidelines for making physical markings, including requiring the use of white paint, flags, stakes, or similar means under American Public Works Association guidelines.

Prior law allowed excavators to use white paint as marking under current guidelines.

New law deletes prior law.

New law requires that any physical markings or electronic drawings not exceed the actual area of excavation or demolition.

New law requires an underground utility or facility operator to notify the excavator, if it is determined that its underground facilities are not in conflict with the location of the request or that its facilities are not fully marked for locating purposes.

New law requires the notification to be given prior to the mark-by time.

A notification to the regional notification center that generated the location request shall suffice for compliance with new law, as it pertains to positive response.

Effective January 2, 2022.

(Amends R.S. 40:1749.13(B)(4) and (D); Adds R.S. 40:1749.14(C)(4))