
DIGEST

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HB 292 Reengrossed

2023 Regular Session

St. Blanc

Abstract: Provides for notices and potting of holes before excavation or demolition that may impact underground utilities.

Present law requires that individuals evaluate utilities that may be damaged during excavation and demolition.

Proposed law requires that marking of an operator's facility or utility be provided for excavation or demolition purposes.

Present law requires that notice be given for demolition and excavation work to be performed at least 48 hours, but not more than 120 hours, with exemptions for weekends and certain holidays. Proposed law repeals present law.

Present law requires an excavator or demolisher to provide the specific location for excavation or demolition with notice or physically mark the area using white paint, flags, or stakes prior to notice.

Proposed law requires that the excavator or demolisher shall provide the specific location for excavation or demolition with either telephonic or electronic notice. Telephonic notice shall require the excavator or demolisher to physically mark the proposed route or area of excavation or demolition.

Proposed law states that excavation or demolition activities shall commence not more than 120 hours past the mark-by-time.

Present law requires that test pits are required if facilities or utilities are to be exposed during an excavation or demolition operation.

Proposed law requires that potting of holes are required if an excavation or demolition operation could reasonably result in damage to underground utilities or facilities.

(Amends R.S. 40:1749.13(A) and (B)(1) and (4) and 1749.16(4))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Add that excavation or demolition activities shall commence not more than 120 hours past the mark-by-time.
2. Add that precautions, such as potting of holes, must be taken to determine the actual location of facilities or utilities that can be damaged. Add that for forestry excavation operations that could result in damage to utilities, a forestry excavator and utility or facility owner shall cooperate to determine the location of such utilities.
3. Make technical changes.