

RÉSUMÉ DIGEST

ACT 192 (HB 392)

2025 Regular Session

St. Blanc

Existing and new law provide relative to the Louisiana Underground and Utilities and Facilities Damage and Prevention Law.

Existing law provides for definitions.

New law amends the definition of "large project excavation or demolition".

Existing law provides for the procedure for excavation and demolition.

Prior law provided that excavation or demolition activities would commence not more than 120 hours past the mark-by time.

New law removes prior law and provides that if an excavation or demolition does not commence within 120 hours of the mark-by-time, not counting weekends and holidays, the excavator or demolisher shall be found in violation of existing and new law, except in the case of mutual agreement with the facility owner or operator to extend the time or extraordinary circumstances.

New law provides for what shall be considered an extraordinary circumstance.

New law provides that at least one person on any underground or submerged excavation or demolition site shall have proof of completion of the training and education provided by the Regional Notification Center, which is required to be done annually. New law also provides for who shall be exempt from this training.

Existing law provides for voluntary agreements related to mark-by-time determinations.

New law clarifies existing law.

Prior law provided that if a mutual agreement between the operator and the excavator or demolisher cannot be reached, the large project excavation or demolition notification request would be deemed null and void, and the provisions of existing law shall apply.

New law amends prior law to provide that if a mutual agreement between all parties in conflict in an area cannot be reached within 30 calendar days from the date submitted to the Regional Notification Center, the large project excavation or demolition notification request shall be deemed null and void, and the requesting excavator or demolisher shall cancel the large project excavation or demolition notice and request a routine excavation or demolition notice in accordance with new and existing law.

Effective August 1, 2025.

(Amends R.S. 40:1749.12(11) and 1749.13(B)(1) and (E)(1) and (7); Adds R.S. 40:1749.13(B)(6))