

54-8a-4 Notice of excavation.

- (1)
 - (a) Before excavating, an excavator shall notify each operator with an underground facility in the area of the proposed excavation.
 - (b) The requirements of Subsection (1)(a) do not apply:
 - (i) if there is an emergency;
 - (ii) while gardening; or
 - (iii) while tilling private ground.
- (2) The notice required by Subsection (1) shall:
 - (a) be given:
 - (i) by telephone;
 - (ii) in person; or
 - (iii) by other means acceptable to each operator;
 - (b) be given not:
 - (i) less than 48 hours before excavation begins; or
 - (ii) more than 14 days before excavation begins; and
 - (c) include the proposed excavation's anticipated:
 - (i) location, with reasonable specificity;
 - (ii) dimensions;
 - (iii) type; and
 - (iv) duration.
- (3) If the proposed excavation's anticipated location and dimensions cannot be described as required under Subsection (2)(c) or as requested in accordance with Subsection 54-8a-5(2)(b), an excavator shall outline the proposed excavation site using as a guideline the then-existing Uniform Color Code and Marking Guidelines, Appendix B, published by the Common Ground Alliance, as amended in the current version of the excavators' guide published by the statewide association established in Section 54-8a-9.
- (4) If more than one excavator will operate at the same excavation site, each excavator shall provide the notice required by this section.
- (5) If there is an association in the county, notice to that association constitutes notice to each operator that has facilities within the proposed excavation site.
- (6)
 - (a) Notice given under this section is valid for 14 days from the day on which the notice is given.
 - (b) If an excavation will continue beyond the 14-day period under Subsection (6)(a), the excavator shall provide notice of that fact at least 48 hours, but no sooner than six calendar days, before expiration of the 14-day period.
 - (c) A notice under Subsection (6)(b) is valid for 14 days from the day on which the previous notice expires.
 - (d) An excavator shall give notice as provided in this Subsection (6) for the duration of the excavation.
- (7) If markings made by the operator have been disturbed so that the markings no longer identify the underground facility:
 - (a) before excavating the site an excavator shall notify:
 - (i) the association; or
 - (ii) each operator; and
 - (b) the operator shall mark the area again within 48 hours of the renotification.
- (8) An excavator may begin excavation if:
 - (a)

- (i) all underground facilities have been:
 - (A) located; and
 - (B) marked; or
 - (ii) the operators have indicated that there are no underground facilities within the proposed excavation site;
- (b)
- (i) 48 hours have elapsed from the time of initial notice; and
 - (ii) the excavator has not:
 - (A) been notified by the operator; or
 - (B) received a request for a meeting under Subsection 54-8a-5(2); or
 - (c) 48 hours have elapsed from the time of renotification under Subsection (6).
- (9) Unless an operator remarks an area pursuant to Subsection (7), the excavator shall be responsible for the costs incurred by an operator to remark its underground facilities following the second or subsequent notice given by an excavator for a proposed excavation.

Amended by Chapter 426, 2011 General Session