

54-8a-9 Association for mutual receipt of notice of excavation activities.

- (1)
 - (a)
 - (i) Two or more operators may form and operate a statewide association providing for mutual receipt of notice of excavation activities.
 - (ii) If an association is operational, notice to the association shall be given pursuant to Section 54-8a-4.
 - (b)
 - (i) If an association is formed, each operator with an underground facility in the area shall become a member of the association and participate in it to:
 - (A) receive a notice of a proposed excavation submitted to the association;
 - (B) receive the services furnished by it; and
 - (C) pay its share of the cost for the service furnished.
 - (ii) If an operator does not comply with Subsection (1)(b)(i) and Section 54-8a-5, the operator is liable for damages incurred by an excavator who complies with this chapter's requirements.
 - (c) An association whose members or participants have underground facilities within a county shall:
 - (i) file a description of the geographical area served by the association; and
 - (ii) file the name and address of every member and participating operator with the county clerk.
- (2) An association receiving notice as provided in Subsection 54-8a-4(1) shall:
 - (a) notify members and participants in the relevant geographic area within 24 hours after receiving notice from the person who proposes to excavate; and
 - (b) maintain a record of any notice received for a period of five years to document compliance with the requirements of this chapter.
- (3) An association contacted by a public agency to identify a utility company, in accordance with Section 54-3-29, shall provide the public agency with a list, including contact information to the extent available, of each utility company of which the association is aware that has a utility facility within the area identified by the public agency.

Amended by Chapter 272, 2010 General Session