

REGULATORY UPDATE

November 1, 2019

PERTAINING TO: Operators of Underground Facilities / Oklahoma Underground Damage Prevention Act

REGULATORY AGENCY: The State of Oklahoma

REFERENCE: HB 2097 – Oklahoma State Legislature / §63-142 Oklahoma Underground Damage Prevention Act

UPDATE:

SECTION 1. AMENDATORY 63 O.S. 2011, Section 142.2 “ [...] Oklahoma Underground Facilities Damage Prevention Act: [...] 5. Excavate means to dig; provided, however, that neither: a. & i. except in a private or public easement or right-of-way, [...]”

SECTION 2. AMENDATORY 63 O.S. 2011, Section 142.6 “ [...] A., excluding the date of notification, [...] B. ~~within forty eight (48) hours after receipt of verification from the notification center that the notice has been accepted and acknowledged, excluding Saturdays, Sundays and legal holidays~~ prior to the date and time work is scheduled to begin, [...]”

SUMMARY:

The definition of an excavation now includes someone digging on private property, even if they are not using heavy equipment. OKIE811 will need to be contacted. Exemptions no longer apply in these cases.

The days required for notification no longer include the date of notification. As an example, when a locate request is submitted on Monday morning, the earliest day that work could start would be Thursday morning after 7:00am, since the date of notification, Monday, was excluded.

Each underground utility operator that receives a notice from the One-Call shall locate and mark the approximate location of the underground facilities prior to the date and time work is to begin. The 48 hour restriction no longer applies.

RESOURCE:

<http://www.okie811.org/thelaw/>; email: education@okie811.org

<http://www.oklegislature.gov/BillInfo.aspx?Bill=HB2097&Session=1900&Tab=0>

http://webserver1.lsb.state.ok.us/cf_pdf/2019-20%20ENR/hB/HB2097%20ENR.PDF