

HOUSE BILL NO. HB0148

Underground public utilities notification system.

Sponsored by: Representative(s) Lockhart, Illoway and
Johnson, W. and Senator(s) Coe, Peck and
Vasey

A BILL

for

1 AN ACT relating to underground facilities; modifying
2 requirements of the public utilities notification system;
3 and providing for an effective date.

4

5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.** W.S. 37-12-301(b)(v), 37-12-302(a) and
8 (c)(intro) and 37-12-304(a), (b)(intro) and (i) are amended
9 to read:

10

11 **37-12-301. Short title; definitions.**

12

13 (b) As used in this act:

14

15 (v) "Notification center" means a ~~group of~~
16 ~~persons having underground facilities who have jointly~~

1 ~~established a "notification system" in a specific area to~~
2 ~~permit notification by any person involved in excavation~~
3 ~~activities~~ center that receives notice from excavators of
4 planned excavation or other requests for location and
5 transmits this notice to participating operators;

6
7 **37-12-302. Notice of excavation by excavator;**
8 **information to be supplied upon notice; exceptions;**
9 **penalty.**

10
11 (a) Every person having the right to bury underground
12 facilities shall file with the ~~county clerk in each county~~
13 ~~where underground facilities are located~~ notification
14 center a general description of the area served together
15 with the name, address and telephone number of the person
16 ~~in that county~~ from whom necessary information may be
17 obtained concerning the location of underground facilities.
18 ~~within that county. In counties where a notification center~~
19 ~~pursuant to W.S. 37-12-304 is established, the name,~~
20 ~~address and telephone number of the notification center~~
21 ~~shall be filed with the county clerk on behalf of all~~
22 ~~participating members.~~

23

1 (c) Except as hereafter provided, no person shall
2 make or begin excavation without first notifying any person
3 having underground facilities in the area of the proposed
4 excavation. Notice shall be given by any electronic medium
5 or in person at least two (2) full business days, but not
6 more than fourteen (14) business days prior to any
7 excavation to ~~all the~~ notification ~~centers existing within~~
8 ~~the area~~ center pursuant to W.S. 37-12-304. Unless the
9 location marks are still visible, if an excavation on a
10 single project lasts more than fourteen (14) business days,
11 the excavator shall give notice at least once each
12 succeeding fourteen (14) business day period. Notice to the
13 notification center is notice to each member thereof in the
14 area. Notification of the following information to ~~all the~~
15 notification ~~centers in the area~~ center shall be required
16 and shall include the:

17

18 **37-12-304. Notification centers; formation; duties.**

19

20 (a) Persons having underground facilities shall join
21 ~~an existing the~~ notification center ~~of their choice or form~~
22 ~~a new notification center~~ and shall participate in ~~a the~~
23 notification center providing for mutual receipt of
24 notification of excavation activities in a specified area

1 and pay their share of the cost for the service provided.
2 ~~The specified area may include the entire state or any~~
3 ~~portion thereof.~~

4
5 (b) ~~Each~~The notification center shall:

6
7 (i) File with the county clerk the statewide
8 toll-free telephone number~~;~~~~, which shall be one (1) of the~~
9 ~~two (2) authorized statewide toll-free numbers pursuant to~~
10 ~~subsection (c) of this section, and description of the~~
11 ~~geographical area served by the notification center. If~~
12 ~~the geographical area served by the notification center is~~
13 ~~not the entire state, the notification center shall~~
14 ~~establish access for the center via an existing statewide~~
15 ~~toll-free telephone number to be shared by notification~~
16 ~~centers which serve limited geographic regions, and share~~
17 ~~in the costs of that phone service;~~

18
19 **Section 2.** W.S. 37-12-304(b)(ii), (viii) and (c) is
20 repealed.

21
22 **Section 3.** This act is effective July 1, 2003.

23
24 (END)