

ENROLLED ACT NO. 51, SENATE

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING
2022 BUDGET SESSION

AN ACT relating to public utilities; requiring firefighters to notify the notification center as soon as practical regarding emergency wildfire excavations; exempting emergency excavations from liability for damages or injuries; amending a definition; and providing for an effective date.

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

Section 1. W.S. 37-12-301(b)(ii) and 37-12-302(e) and (f) are amended to read:

37-12-301. Short title; definitions.

(b) As used in this act:

(ii) "Emergency" means a sudden, unforeseen occurrence, including a loss of communications, which demands immediate action to protect the health, safety and welfare of the public and to prevent loss of life, health, property or essential public services and advance notice to the notification center prior to excavation is impracticable under the circumstances. "Emergency" shall include, but is not limited to, ruptures and leakage of pipelines, explosions, fires and similar instances where immediate action is necessary to prevent loss of life or significant damage to underground facilities or the environment;

37-12-302. Notices; exceptions; penalty.

(e) Emergency excavations are exempt from the time constraints of the provisions of subsections (c) and (d) of this section. If an emergency excavation is undertaken to suppress wildfires, the excavator shall notify the

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notification center as soon as practical. The excavator and operator shall not be required to mark the area being excavated for wildfire suppression.

(f) If information required pursuant to subsection (d) of this section is not provided within the time specified therein, or if the information provided fails to identify the location of the underground facilities in accordance with subsection (d) of this section or when engaging in an emergency excavation, then any excavator damaging or injuring underground facilities shall not be liable for such damage or injury except when failing to utilize reasonable care. However, if information required pursuant to subsection (d) of this section is provided within the time specified therein, and if the information provided sufficiently identifies the location of the underground facilities in accordance with subsection (d) of this section, then any excavator damaging or injuring underground facilities shall be liable for all damage or injury to persons or property.

ORIGINAL SENATE
FILE NO. SF0086

ENGROSSED

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Section 2. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk