

SB0877/417872/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 877
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “authorizing” in line 11 down through “purposes;” in line 12.

On page 2, in line 11, after “nonexcavation” insert “designer”; in line 17, after “changes;” insert “updating a certain cross-reference;”; in line 26, after “12-101,” insert “12-103;”; in lines 27 and 28, strike “Other Requests” and substitute “Nonexcavation Tickets”; strike in their entirety lines 31 through 35, inclusive; and in line 38, strike “12-103” and substitute “12-104”.

AMENDMENT NO. 2

On page 3, in line 15, strike “**INCLUDES**” and substitute “**MEANS**”; and in the same line, strike the second “A” and substitute “AN UNDERGROUND”.

On page 7, in line 25, strike “stormwater” and substitute “**STORM**”; in line 26, strike the bracket; and in line 27, after “excavation” insert “NOT MORE THAN 6 INCHES IN DEPTH”.

On page 8, in line 4, strike the bracket; in line 5, strike “**12-103.**” and substitute “12-104.”; in line 17, strike “**LOCATABLE**”; and in the same line, before “**MUST**” insert “LOCATABLE DURING PLANNED OR EMERGENCY WORK”.

On page 11, in line 9, strike “**LABOR**” and substitute “**STAFF**”; and in lines 17 and 19, in each instance, strike the bracket.

(Over)

On page 14, in line 8, in each instance, strike the bracket; and in line 13, after “(III)” insert “WITH THE CONSENT OF THE AUTHORITY MEMBERS,”.

On page 15, in line 12, after “(a)” insert “(1) THIS SECTION APPLIES TO ANY ACTION TAKEN TO ADDRESS AN EMERGENCY FROM THE TIME THE EMERGENCY ARISES UNTIL A STANDARD TICKET IS INITIATED AND VALID UNDER § 12-124 OF THIS SUBTITLE, INCLUDING ANY WORK ASSOCIATED WITH STOPPING OR MITIGATING THE EMERGENCY.”

(2)”;

in lines 12 and 15, in each instance, strike the bracket; strike beginning with “THIS” in line 15, through “EMERGENCY” in line 19; in line 23, after “WORK” insert “, AS STATED IN § 12-124(B)(1) OF THIS SUBTITLE,”; in line 30, after “SHALL” insert “:

(1)”;

and in line 32, after “CENTER” insert “; AND”

(II) EXCEPT FOR CIRCUMSTANCES BEYOND AN OWNER-MEMBER’S OR CONTRACT LOCATOR’S CONTROL AND FOR MUNICIPAL CORPORATIONS, CONSIDERING THE HOURS OF OPERATION AND AVAILABILITY OF EMPLOYEES:

1. BEGIN THE LOCATING PROCESS TO MARK THEIR RESPECTIVE UNDERGROUND FACILITY OR FACILITIES WITHIN 2 HOURS AFTER THE TRANSMISSION OF THE TICKET; OR

2. IF THE FACILITY OWNER HAS NO UNDERGROUND FACILITIES WITHIN THE DELINEATED EXCAVATION AREA, CLEAR THE TICKET WITHIN 3 HOURS AFTER THE TRANSMISSION OF THE TICKET

On pages 15 and 16, strike beginning with the colon in line 33 on page 15 down through “(I)” in line 1 on page 16.

On page 16, strike beginning with the semicolon in line 4 down through “FACILITY” in line 7.

On page 20, in line 3, strike “§ 12–124” and substitute “**§ 12–125**”.

On page 24, strike in their entirety lines 2 through 31, inclusive, and substitute:

“Part V. [Designer Requests] NONEXCAVATION TICKETS.

12–131.

(a) In connection with a project that may require excavation or demolition, a [designer] PERSON may initiate a NONEXCAVATION DESIGNER ticket request by notifying the one–call system serving the geographic area covering the planned project IN ACCORDANCE WITH THIS SECTION.

(b) **(1) [A designer] IN CONNECTION WITH A PROJECT THAT MAY REQUIRE EXCAVATION OR DEMOLITION, A PERSON initiating a NONEXCAVATION DESIGNER ticket request under this section:**

[(1)] (I) may initiate only one ticket request for a single project BY NOTIFYING THE ONE–CALL SYSTEM SERVING THE GEOGRAPHIC AREA COVERING THE PLANNED PROJECT; and

(Over)

[(2)] (II) shall, in connection with a NONEXCAVATION DESIGNER ticket request:

[(i)] 1. indicate that the request is for design purposes only and may not be used for the purpose of excavation or demolition;

[(ii)] 2. notify the one-call system of any owner-members from which the [designer] PERSON does not require underground facilities information; and

[(iii)] 3. on the request of an owner-member, provide the owner-member with a preliminary drawing that indicates the scope of the project.

(2) THE ONE-CALL SYSTEM SHALL PROVIDE THE PERSON REQUESTING A NONEXCAVATION DESIGNER TICKET AN ACCURATE MEANS OF CONTACT FOR EACH UNDERGROUND FACILITY WITHIN 2 BUSINESS DAYS.

(3) EACH UNDERGROUND FACILITY OWNER SHALL MAINTAIN CURRENT VALID CONTACT INFORMATION WITH THE ONE-CALL SYSTEM FOR PERSONS TO CONTACT.

(c) (1) Within 15 business days after receiving notice from a one-call system that a [designer] PERSON has made a request under this section, an owner-member of an underground facility in the area of the project shall notify the [designer] PERSON of the type and approximate location of the underground facility.

(2) An owner-member may provide notice of the approximate location of an underground facility through the use of:".

On page 25, in line 5, strike the bracket; in line 6, strike “**(C)**” and substitute “**(D)**”; in line 14, strike “(d)” and substitute “**(E)**”; and in line 25, strike “**SERIOUSNESS**” and substitute “**SEVERITY**”.