

By: Martinez

H.B. No. 2758

A BILL TO BE ENTITLED

AN ACT

relating to the duties of excavators to notify operators of the location of planned excavations and the duties of operators to mark the location of underground facilities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 251.151(a), Utilities Code, is amended to read as follows:

(a) Except as provided by Sections 251.155 and 251.156, a person who intends to excavate shall notify a notification center not earlier than the 14th day before the date the excavation is to begin or later than the 48th hour before the time the excavation is to begin, excluding Saturdays, Sundays, and legal holidays. For a planned excavation activity that will extend to a location that is one-quarter mile or more from the beginning point of an excavation project, each one-quarter mile portion of the planned excavation project is considered a separate excavation and the excavator shall provide a separate notification under this section for each excavation.

SECTION 2. Section 251.152, Utilities Code, is amended to read as follows:

Sec. 251.152. INFORMATION INCLUDED IN NOTICE. The excavator shall include in the notice required under Section 251.151:

(1) the name of the person serving the notice;

1           (2) the location of the proposed area of excavation  
2 and the location of the beginning point of the proposed excavation,  
3 including:

4                   (A) the street address, if available, and the  
5 location of the excavation at the street address; or

6                   (B) if there is no street address, an accurate  
7 description of the excavation area using any available designations  
8 such as the closest street, road, or intersection;

9           (3) the name, address, and telephone number of the  
10 excavator or the excavator's company;

11           (4) the excavator's field telephone number, if one is  
12 available;

13           (5) a telephone facsimile number, e-mail address, or  
14 another electronic number or address approved by the board to which  
15 an operator may send the notification required by Section  
16 [251.157](#)(d);

17           (6) the starting date and time and the anticipated  
18 completion date of excavation; and

19           (7) a statement as to whether explosives will be used.

20       SECTION 3. This Act takes effect September 1, 2015.