

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 17-0225.01 Thomas Morris x4218

SENATE BILL 17-290

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SENATE SPONSORSHIP

Scott and Donovan,

HOUSE SPONSORSHIP

(None),

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Senate Committees

Transportation

House Committees

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A BILL FOR AN ACT

101 CONCERNING A REQUIREMENT THAT ENGINEERING PLANS INVOLVING  
102 EXCAVATION PROVIDE DETAILED INFORMATION ABOUT THE  
103 LOCATION OF UNDERGROUND FACILITIES.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)*

Current law requires engineering plans involving excavation to include only general information about the location of underground facilities, and the excavator is the party with the duty to seek specific information about these facilities' locations. The bill requires:

! Engineering plans involving excavation to include specific

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

- ! information about the location of underground facilities;
- ! Engineers to use their official stamps on the plans; and
- ! The stamped plans to be given to the person who will conduct the excavation.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 12-25-117, **amend**  
3 (5) as follows:

4 **12-25-117. Professional engineer's seal - rules.** (5) (a) The  
5 board shall adopt rules governing use of the seal and the retention, use,  
6 and distribution of sealed documents and copies thereof.

7 (b) THE RULES MUST REQUIRE THAT, WITH REGARD TO PLANS THAT  
8 INVOLVE EXCAVATION:

9 (I) AS REQUIRED BY SECTION 9-1.5-103 (2):

10 (A) THE PLANS MUST SHOW SPECIFIC INFORMATION AS TO THE  
11 DESCRIPTION, NATURE, AND LOCATION OF UNDERGROUND FACILITIES, AS  
12 THAT TERM IS DEFINED IN SECTION 9-1.5-102 (7);

13 (B) THE ENGINEER SHALL PERFORM AN UNDERGROUND FACILITIES  
14 INVESTIGATION IN ACCORDANCE WITH STANDARDS SPECIFIED IN THE  
15 RULES TO ASCERTAIN THE LOCATION OF ALL UNDERGROUND FACILITIES;

16 (C) IN ACCORDANCE WITH STANDARDS SPECIFIED IN THE RULES,  
17 THE ENGINEER SHALL ATTEMPT TO ACHIEVE AT LEAST A MINIMUM  
18 LOCATIONAL CONFIDENCE ON ALL UNDERGROUND FACILITIES UNLESS A  
19 REASONABLE EXCEPTION, TO THE EXTENT ALLOWED BY THE RULES, IS  
20 NOTED ON THE PLANS;

21 (D) BASED ON THE UNDERGROUND FACILITIES INVESTIGATION, THE  
22 ENGINEER SHALL STAMP THE UNDERGROUND FACILITIES DEPICTIONS AT  
23 THEIR ACTUAL ACHIEVED LOCATIONAL CONFIDENCE; AND

1 (E) UPON REQUEST, THE ENGINEER SHALL PROVIDE THE PLANS TO  
2 THE PERSON WHO WILL CONDUCT THE EXCAVATION; AND

3 (II) THE PLANS GIVEN TO THE PERSON WHO WILL CONDUCT THE  
4 EXCAVATION MUST INCLUDE THE ENGINEER'S SEAL.

5 **SECTION 2.** In Colorado Revised Statutes, 9-1.5-103, **amend** (2)  
6 as follows:

7 **9-1.5-103. Plans and specifications - notice of excavation -**  
8 **duties of excavators - duties of owners and operators.** (2) Architects,  
9 engineers, or other persons designing excavation shall obtain ~~general~~  
10 SPECIFIC information as to the description, nature, and location of  
11 underground facilities in the area of ~~such~~ A proposed excavation and  
12 include ~~such-general~~ THE information in the plans or specifications to  
13 inform an excavation contractor of the existence of ~~such~~ THE facilities and  
14 of the need to obtain information ~~thereon~~ ON THE FACILITIES pursuant to  
15 subsection (3) of this section.

16 **SECTION 3. Applicability.** This act applies to conduct occurring  
17 on or after the effective date of this act.

18 **SECTION 4. Safety clause.** The general assembly hereby finds,  
19 determines, and declares that this act is necessary for the immediate  
20 preservation of the public peace, health, and safety.