

HOUSE COMMITTEE OF REFERENCE REPORT

March 30, 2021

Chair of Committee

Date

Committee on Transportation & Local Government.

After consideration on the merits, the Committee recommends the following:

HB21-1095 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 2, strike lines 2 through 11.
- 2 Page 3, strike lines 1 through 11.
- 3 Renumber succeeding sections accordingly.
- 4 Page 3, line 13, strike "(4)(b)" and substitute "(3)(a)(II) and (4)(b); and
- 5 **add** (3)(e)".
- 6 Page 3, strike line 16 substitute:
 - 7 "(3) (a) (II) Effective January 1, 2021, except in emergency situations,
 - 8 ~~and~~ except as to an employee or an employer's contractor with respect to
 - 9 the employer's underground facilities, AND EXCEPT AS OTHERWISE
 - 10 PROVIDE IN SUBSECTION (3)(e) OF THIS SECTION, a person shall not make
 - 11 or begin excavation without first notifying the notification association.
 - 12 Notice may be given by electronic methods approved by the notification
 - 13 association or by telephone.
 - 14 (e) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE
 - 15 1.5, EXCAVATION THAT IS ROUTINE OR EMERGENCY MAINTENANCE OF THE
 - 16 RIGHT-OF-WAY OF A COUNTY-MAINTAINED GRAVEL OR DIRT ROAD AND IS
 - 17 PERFORMED BY COUNTY EMPLOYEES DOES NOT REQUIRE NOTIFICATION OF
 - 18 THE NOTIFICATION ASSOCIATION UNLESS THE EXCAVATION WILL:
 - 19 (I) LOWER THE EXISTING GRADE OR ELEVATION OF THE ROAD OR

1 ANY ADJACENT SHOULDER OR THE HISTORIC ELEVATION OF ANY ADJACENT
2 DITCH; OR

3 (II) DISTURB MORE THAN SIX INCHES IN DEPTH AS IT IS
4 CONDUCTED.

5 (4) (b) The marking of underground facilities shall be considered
6 valid".

7 Page 1, strike lines 103 through 109 and substitute "COUNTY ROAD
8 MAINTENANCE.".

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