

SB167_L.001

SENATE COMMITTEE OF REFERENCE AMENDMENT
Committee on Transportation.

SB18-167 be amended as follows:

- 1 Amend printed bill, page 3, line 3, strike "(6.2),".
- 2 Page 3, line 17, strike "DENTING, PENETRATION," and substitute
3 "PENETRATION".
- 4 Page 4, line 16, strike "CLEARING;" and substitute "CLEARING IF THE
5 ACTIVITY DOES NOT INVOLVE DEEP RIPPING OR ROOT REMOVAL;".
- 6 Page 4, line 17, strike "IRRIGATION FACILITIES" and substitute "AN
7 EXISTING IRRIGATION FACILITY IF THE FACILITY HAS BEEN SUBJECTED TO
8 MAINTENANCE IN THE PREVIOUS TWENTY-FOUR MONTHS".
- 9 Page 4, strike lines 26 and 27.
- 10 Page 5, strike line 1.
- 11 Page 5, after line 11 insert:
12 "(b) THE PROJECT INVOLVES PRIMARILY HORIZONTAL
13 CONSTRUCTION;".
- 14 Reletter succeeding paragraphs accordingly.
- 15 Page 5, strike lines 12 through 14 and substitute:
16 "(c) (I) THE PROJECT:
17 (A) HAS AN ANTICIPATED EXCAVATION FOOTPRINT THAT EXCEEDS
18 TWO FEET IN DEPTH AND THAT IS A CONTIGUOUS ONE THOUSAND SQUARE
19 FEET; OR
20 (B) INVOLVES UTILITY BORING.
21 (II) FOR PURPOSES OF THIS SUBSECTION (6.8)(c), THE TERM "TWO
22 FEET IN DEPTH" DOES NOT".
- 23 Page 6, line 2, strike "EXCAVATION".
- 24 Page 7, line 1, strike "BEST".
- 25 Page 7, line 7, strike "BEST".
- 26 Page 7, line 11, after "employee" insert "OR AN EMPLOYER'S
27 CONTRACTOR".

- 1 Page 7, line 21, after "EMPLOYEE" insert "OR AN EMPLOYER'S
2 CONTRACTOR".
- 3 Page 14, line 14, strike "PHMSA-REGULATED".
- 4 Page 14, line 15, after "TO" insert "THE OWNER AND OPERATOR AND THE".
- 5 Page 14, line 22, strike "JANUARY 1, 2020," and substitute "THE
6 EFFECTIVE DATE OF THIS SUBSECTION (10)".
- 7 Page 15, line 23, strike "WORKER AND".
- 8 Page 16, line 11, strike "CIVIL".
- 9 Page 16, line 12, strike "CORRECTIVE" and substitute "REMEDIAL".
- 10 Page 16, line 26, strike "A" and substitute "ITS OWN".
- 11 Page 17, strike lines 1 through 3 and substitute:
12 "(II) A WAIVER THAT DELEGATES ITS DAMAGE PREVENTION
13 SAFETY PROGRAM TO THE SAFETY COMMISSION."
- 14 Page 17, line 4, strike "THIRTEEN" and substitute "FIFTEEN".
- 15 Page 17, strike lines 8 through 23 and substitute:
16 "(I) ONE INDIVIDUAL NOMINATED BY COLORADO COUNTIES, INC.,
17 TO REPRESENT COUNTIES;
18 (II) ONE INDIVIDUAL NOMINATED BY THE COLORADO MUNICIPAL
19 LEAGUE TO REPRESENT MUNICIPALITIES;
20 (III) ONE INDIVIDUAL NOMINATED BY THE SPECIAL DISTRICT
21 ASSOCIATION OF COLORADO TO REPRESENT SPECIAL DISTRICTS;
22 (IV) ONE INDIVIDUAL NOMINATED BY COLORADO'S ENERGY
23 INDUSTRY TO REPRESENT ENERGY PRODUCERS;
24 (V) ONE INDIVIDUAL NOMINATED BY THE COLORADO
25 CONTRACTORS ASSOCIATION TO REPRESENT CONTRACTORS;
26 (VI) TWO INDIVIDUALS NOMINATED BY THE EXCAVATOR MEMBERS
27 OF THE NOTIFICATION ASSOCIATION TO REPRESENT EXCAVATORS;
28 (VII) ONE INDIVIDUAL NOMINATED BY THE AMERICAN COUNCIL
29 OF ENGINEERING COMPANIES OF COLORADO TO REPRESENT ENGINEERS;
30 (VIII) ONE INDIVIDUAL NOMINATED BY INVESTOR-OWNER

1 UTILITIES TO REPRESENT INVESTOR-OWNER UTILITIES;
2 (IX) ONE INDIVIDUAL NOMINATED BY THE COLORADO RURAL
3 ELECTRIC ASSOCIATION TO REPRESENT RURAL ELECTRIC COOPERATIVES;
4 (X) ONE INDIVIDUAL NOMINATED BY THE COLORADO PIPELINE
5 ASSOCIATION TO REPRESENT PIPELINE COMPANIES;
6 (XI) ONE INDIVIDUAL NOMINATED BY THE COLORADO
7 TELECOMMUNICATIONS ASSOCIATION TO REPRESENT
8 TELECOMMUNICATIONS COMPANIES;
9 (XII) ONE INDIVIDUAL NOMINATED BY THE COLORADO WATER
10 UTILITY COUNCIL TO REPRESENT WATER UTILITIES;
11 (XIII) ONE INDIVIDUAL NOMINATED BY THE DEPARTMENT OF
12 TRANSPORTATION TO REPRESENT TRANSPORTATION; AND
13 (XIV) ONE INDIVIDUAL NOMINATED BY THE CHIEF EXECUTIVE
14 OFFICER OF THE NOTIFICATION ASSOCIATION."

15 Page 18, strike lines 1 through 4 and substitute:

16 "(I) SUBSECTIONS (2)(a)(I) TO (2)(a)(V) OF THIS SECTION IS ONE
17 YEAR; AND
18 (II) SUBSECTIONS (2)(a)(VI) TO (2)(a)(X) OF THIS SECTION IS TWO
19 YEARS."

20 Page 20, line 13, after the period add "THE DECISION OF THE SAFETY
21 COMMISSION IS FINAL AGENCY ACTION SUBJECT TO REVIEW BY THE
22 DISTRICT COURT PURSUANT TO SECTION 24-4-106."

23 Page 21, strike lines 7 through 22.

24 Page 22, line 11, strike "AND".

25 Page 22, line 14, strike "MONTHS." and substitute "MONTHS; AND".

26 Page 22, after line 14 insert:

27 "(c) IN CONSIDERING THE APPROPRIATE REMEDIAL ACTION, THE
28 SAFETY COMMISSION MAY CONSIDER THE NUMBER OF VIOLATIONS
29 RELATIVE TO THE NUMBER OF NOTIFICATIONS RECEIVED."

30 Page 26, line 24, after "PROVIDE" insert "GENERAL INFORMATION
31 REGARDING".

32 Page 26, line 25, strike "OPERATES" and substitute "OPERATES, FOR
33 EXCAVATION NOTIFICATION PURPOSES ONLY,".

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