

Amending the VT notification and mark out time requirement from 48 hours to 72 hours.

Rationale:

- Safety and Efficiency - Utility operators have difficulty meeting the current 48-hour notification time, especially during peak periods with high notification/ticket volume. The proposed time increase would allow utility operators, or their agents, to respond to notifications more effectively and timely. The short version – they would not have to rush as much. They spend more time locating lines and talking with contractors on site. This in turn would result in fewer lines being damaged.
- Environment – Utility locators often have to travel long distances to perform mark-outs within the current 48-hour notification time, and then have to return shortly thereafter if they get another ticket for the same area. Increasing the notification time to 72 hours, in many cases, would allow them to hold onto tickets for remote areas and to make a single trip versus multiple trips. This in turn would allow them more time to respond to mark out requests elsewhere and reduce unnecessary fuel consumption.
- Consistency – VT is the only member state in Dig Safe that is not 72 hours. Many excavators/contractors cross state borders. See below summary.



This guide is resource for quick reference and is not all-inclusive. Go to [www.digsafe.com](http://www.digsafe.com) to download a complete copy of the laws and rules.

|                                                                                       | <b>Massachusetts</b><br>Statute Chapter 82,<br>Section 40                    | <b>Maine</b><br>Title 23 MRSA<br>Section 3360-A                         | <b>New Hampshire</b><br>Statute RSA 374,<br>Section 47-56                                         | <b>Rhode Island</b><br>Statute Chapter 39-1.2,<br>Section 1           | <b>Vermont</b><br>VSA Title 30,<br>Chapter 86                                                     |
|---------------------------------------------------------------------------------------|------------------------------------------------------------------------------|-------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| <b>Who must notify Dig Safe?</b>                                                      | Anyone who excavates                                                         | Anyone who excavates                                                    | Anyone who excavates                                                                              | Anyone who excavates                                                  | Anyone who excavates                                                                              |
| <b>What excavation areas require notification?</b>                                    | Public ways and private property                                             | Public ways and private property                                        | Within 100 feet of underground utilities                                                          | Within 100 feet of underground utilities                              | Within 100 feet of underground utilities                                                          |
| <b>What utilities are required to participate?</b>                                    | Gas, Electric, Telecom, Cable TV, and Private Water Companies                | Gas, Electric, Telecom, Cable TV, Propane, and Private Water Companies. | Gas, Electric, Telecom, Cable TV, Propane (jurisdictional accounts), and Private Water Companies. | Gas, Electric, Telephone, Cable Television and Public Water Companies | Gas, Electric, Telecom, Cable TV, Propane (jurisdictional accounts), and Private Water Companies. |
| <b>Advance Notice Requirement:</b><br><small>(excludes weekends and holidays)</small> | <b>Minimum</b> 72 Hours<br><b>Maximum</b> 30 Days<br><b>Emergencies</b> ASAP | 72 Hours<br>30 Days<br>ASAP                                             | 72 Hours<br>30 Days<br>ASAP                                                                       | 72 Hours<br>30 Days<br>ASAP                                           | 48 Hours<br>30 Days<br>ASAP                                                                       |

Proposed Language:

§ 7004. Notice of excavation activities

(a) No person or company shall engage in excavation activities, except in an emergency situation as defined by the Commission, without premarking the proposed area of excavation activities and giving notice as required by this section.

(b) Prior to notifying the System, the person shall premark the area of proposed excavation activities in a manner that will enable operators of underground facilities to identify the boundaries of the proposed excavation activities.

(c) At least ~~48-72~~ hours, excluding Saturdays, Sundays, and legal holidays, but not more than 30 days before commencing excavation activities, each person required to give notice of excavation activities shall notify the System referred to in section 7002 of this title. Such notice shall set forth a reasonably accurate and readily identifiable description of the geographical location of the proposed excavation activities and the premarks.

(d) Notice to the System may be in writing or by telephone. For purposes of this section, the System shall provide a toll-free telephone number.

(e) Notice of excavation activities shall be valid for an excavation site until one of the following occurs:

(1) the excavation is not completed within 30 days of the notification;

(2) the markings become faded, illegible, or destroyed; or