

1 H.193

2 Introduced by Representative Till of Jericho

3 Referred to Committee on

4 Date:

5 Subject: Utilities; underground facilities; electric service lines; excavation
6 activities; damage; liability

7 Statement of purpose of bill as introduced: This bill proposes to require the
8 Public Service Board to adopt rules to ensure that a customer is not liable for
9 damage to a customer-owned, underground electric service line caused by third
10 party excavation activities.

11 An act relating to liability for damage to customer-owned, underground
12 electric service lines

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 30 V.S.A. § 7003 is amended to read:

15 § 7003. RULEMAKING

16 The Board shall adopt rules, pursuant to 3 V.S.A. chapter 25 relative to:

17 (1) minimum requirements for the operation of the System, including
18 notification procedures and the reporting of underground utility facility
19 locations;

20 (2) procedures for the investigation of complaints;

1 (3) emergency situations for which notice of excavation activities is not
2 required;

3 (4) uniform standards for the marking of the approximate location of
4 underground utility facilities;

5 (5) uniform standards for the future installation of underground utility
6 facilities including the following:

7 (A) color coding of facilities;

8 (B) depth requirements for the laying of facilities;

9 (C) subsurface marking of facilities;

10 (D) surface marking of facilities;

11 (E) the filing of as-built plans of facilities with municipalities;

12 (F) capability for location of facilities by sensors;

13 (6) standards for the granting of exemptions under section 7002 of this
14 title;

15 (7) standards ensuring that a customer is not liable for damage to a
16 customer-owned, underground electric service line caused by third party
17 excavation activities.

18 Sec. 2. APPLICATION

19 Notwithstanding 1 V.S.A. § 214(b), the rules adopted under 30 V.S.A.
20 § 7003(7) shall apply to customer-owned, underground electric service lines
21 damaged by excavation activities on or after March 1, 2016.

- 1 Sec. 3. EFFECTIVE DATE
- 2 This act shall take effect on passage.