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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michelle Ridge.

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DIGEST

SB 82 Original

2019 Regular Session

Lambert

Present law provides relative to underground utilities and facilities.

Present law provides that no person shall excavate or demolish in any street, highway, public place, or servitude of any operator, or near the location of an underground facility or utility, or on the premises of a customer served by an underground facility or utility without having first ascertained the specific location of all underground facilities or utilities in the area which would be affected by the proposed excavation or demolition.

Present law provides that prior to any excavation or demolition, each excavator or demolisher shall serve notice of the intent to excavate or demolish to the regional notification center or centers serving the area in which the proposed excavation or demolition is to take place and further provides for the notification procedure.

Present law provides that the excavator or demolisher shall wait at least 48 hours following notification, unless mutually agreed upon and documented by the excavator and operator to extend such time, before beginning the proposed work, except under certain circumstances.

Proposed law provides if the operator and excavator cannot agree to extend the time and the excavation or demolition activity could impact a pipeline located on or in water, upon written request by the operator, the commissioner of conservation may delay the mark-by time prior to the commencement of any excavation or demolition activity in order to allow for the accurate marking of such pipeline.

Present law provides for the responsibilities of a regional call center and an operator once notification of an intent to excavate is received.

Present law provides that the specific location and type of underground utility or facility may, at the operator's option, be marked to locate the utilities or facilities.

Present law provides that when they are marked, such markings shall be deemed good as long as visible but not longer than 20 calendar days from the mark-by time.

Proposed law provides that the commissioner of conservation may extend the time to complete the excavation or demolition activity if such activity could impact a pipeline located on or in water.

Present law provides that no parish, municipal, local, or state governing authority may enact any ordinance or promulgate any rules or regulations which are in conflict with the provisions of present law.

Proposed law provides that except as provided in present law, no parish, municipal, local, or state governing authority may enact any ordinance or promulgate any rules or regulations which are in conflict with the provisions of present law.

Effective August 1, 2019.

(Amends R.S. 40:1749.13(B)(5), 1749.14(C)(1)(b)(iii) and (3), and 1749.22)