

## **BILL ANALYSIS**

Senate Research Center

H.B. 1669  
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State Affairs  
5/6/2001  
Engrossed

### **DIGEST AND PURPOSE**

Currently, an excavator is required to contact a notification center 48 hours before beginning to dig. The notification center is then required to contact any operators of underground facilities that are used to produce, store, convey, transmit, or distribute electrical energy, gas, petroleum, steam, telecommunications service, or certain liquids (operator) that may have lines in the area where an excavator plans to dig. Upon receiving notification, operators are required to mark the location of those underground facilities prior to the 48 hour deadline only if the operator believes that marking the location is necessary. The operator is not required to notify the excavator of a decision to mark or not to mark, which can delay excavation. H.B. 1669 requires an operator to notify an excavator of a decision not to mark the location of underground facilities no later than 48 hours after the time the excavator gives notice of intent to excavate.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 251.152, Utilities Code, to require the excavator to include in the notice required under Section 251.151 a telephone facsimile number, e-mail address, or another electronic number or address approved by the board to which an operator may send the notification required by Section 251.157(d). Makes nonsubstantive changes.

SECTION 2. Amends Section 251.157, Utilities Code, by adding Subsection (d) to require an operator contacted by the notification center, not later than the 48th hour after the time the excavator gives to the notification center notice of intent to excavate, to notify the excavator of the operator's plans to not mark the proximate location of an underground facility at or near the site of the proposed excavation. Requires the operator to provide the notification by e-mail or facsimile or by another verifiable electronic method approved by the board.

SECTION 3. Effective date: November 1, 2001.