

ORIGINAL HOUSE
BILL NO. 0148

ENROLLED ACT NO. 42, HOUSE OF REPRESENTATIVES

FIFTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING
2003 GENERAL SESSION

AN ACT relating to underground facilities; modifying requirements of the public utilities notification system; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 37-12-301(b)(v), 37-12-302(a) and (c)(intro) and 37-12-304(a), (b)(intro) and (i) are amended to read:

37-12-301. Short title; definitions.

(b) As used in this act:

(v) "Notification center" means a ~~group of persons having underground facilities who have jointly established a "notification system" in a specific area to permit notification by any person involved in excavation activities~~ center that receives notice from excavators of planned excavation or other requests for location and transmits this notice to participating operators;

37-12-302. Notice of excavation by excavator; information to be supplied upon notice; exceptions; penalty.

(a) Every person having the right to bury underground facilities shall file with the ~~county clerk in each county where underground facilities are located~~ notification center a general description of the area served together with the name, address and telephone number of the person ~~in that county~~ from whom necessary information may be obtained concerning the location of underground facilities. within that county. In counties where a notification center pursuant to W.S. 37-12-304 is established, the name,

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~~address and telephone number of the notification center shall be filed with the county clerk on behalf of all participating members.~~

(c) Except as hereafter provided, no person shall make or begin excavation without first notifying any person having underground facilities in the area of the proposed excavation. Notice shall be given by any electronic medium or in person at least two (2) full business days, but not more than fourteen (14) business days prior to any excavation to ~~all the~~ notification ~~centers existing within the area~~ center pursuant to W.S. 37-12-304. Unless the location marks are still visible, if an excavation on a single project lasts more than fourteen (14) business days, the excavator shall give notice at least once each succeeding fourteen (14) business day period. Notice to the notification center is notice to each member thereof in the area. Notification of the following information to ~~all the~~ notification ~~centers in the area~~ center shall be required and shall include the:

37-12-304. Notification centers; formation; duties.

(a) Persons having underground facilities shall join ~~an existing~~ the notification center ~~of their choice or form a new notification center~~ and shall participate in ~~a~~ the notification center providing for mutual receipt of notification of excavation activities in a specified area and pay their share of the cost for the service provided. ~~The specified area may include the entire state or any portion thereof.~~

(b) ~~Each~~ The notification center shall:

(i) File with the county clerk the statewide toll-free telephone number ; ~~which shall be one (1) of the~~

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~~two (2) authorized statewide toll-free numbers pursuant to subsection (c) of this section, and description of the geographical area served by the notification center. If the geographical area served by the notification center is not the entire state, the notification center shall establish access for the center via an existing statewide toll-free telephone number to be shared by notification centers which serve limited geographic regions, and share in the costs of that phone service;~~

Section 2. W.S. 37-12-304(b)(ii), (viii) and (c) is repealed.

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Section 3. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____
DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk