

MISS DIG UNDERGROUND FACILITY DAMAGE PREVENTION AND SAFETY ACT (EXCERPT)
Act 174 of 2013

460.727 Marking facility location; positive response; additional assistance of facility owner or operator upon request by excavator; damage to facility; emergency response; construction of new facility.

Sec. 7.

(1) A facility owner or facility operator shall respond to a ticket by the start date and time for the excavation or blasting under section 5(1) by marking its facilities in the area of the proposed excavation or blasting in a manner that permits the excavator to employ soft excavation to establish the precise location of the facilities.

(2) A facility owner or facility operator shall mark the location of each facility with paint, stakes, flags, or other customary methods using the uniform color code of the American national standards institute as follows:

- (a) White – used by excavators to mark a proposed excavation or blasting area.
- (b) Pink – temporary survey markings.
- (c) Red – electric power lines, cables, conduit, and lighting cables.
- (d) Yellow – gas, oil, steam, petroleum, or gaseous materials.
- (e) Orange – communication, cable television, alarm or signal lines, cables, or conduit.
- (f) Blue – potable water.
- (g) Purple – reclaimed water, irrigation, and slurry lines.
- (h) Green – sewers and drain lines.

(3) A facility owner or facility operator shall provide notification to the notification system using positive response.

(4) Upon receiving a notification during business hours from an excavator through the notification system of previous marks being covered or destroyed, a facility owner or facility operator shall mark the location of a facility within 24 hours, excluding all hours on nonbusiness days.

(5) If a facility owner or facility operator receives a request under section 5(8) or (9), that facility owner or facility operator shall provide additional assistance to an excavator within 3 hours of a request made by the excavator during business hours. An excavator and a facility owner or facility operator may agree to an extension of the time for additional assistance. If a request for additional assistance is made at a time when the additional assistance cannot be provided during normal business hours or assistance is required at a remote rural location, the response time shall be no later than 3 hours after the start of the next business day or a time based on mutual agreement.

(6) If a facility owner or facility operator receives notice that a facility has been damaged, that facility owner or facility operator shall promptly dispatch personnel to the area.

(7) A facility owner or facility operator shall respond within 3 hours to an emergency notice, or before the start day and time provided in an emergency notice if that start day and time is more than 3 hours from the time of notice.

(8) New facilities built after the effective date of this act shall be constructed in a manner that allows their detection when in use.

(9) This section does not apply to the state transportation department or to the marking of a county or intercounty drain by a county drain commissioner's office or drainage board.

History: 2013, Act 174, Eff. Apr. 1, 2014