

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

***** 460.729.new THIS NEW SECTION IS EFFECTIVE APRIL 1, 2014 *****

460.729.new Liability of officers, agents, or employees of notification system; liability of excavator or farmer engaged in farming operations or owner of farm.

Sec. 9. (1) The notification system and its officers, agents, or employees are not liable for any damages, including damages for injuries or death to persons or damage to property, caused by its acts or omissions in carrying out the provisions of this act. The notification system is not responsible for assuring performance by a facility owner or facility operator of its obligation to participate in the notification system under section 4(4).

(2) An excavator or a farmer engaged in farming operations that complies with this act is not responsible for damages that occur to a facility that is improperly marked, not marked, or determined to be within the safe zone.

(3) An owner of a farm who complies with this act is not liable for any damages to a facility if the damage occurred in the course of farming operations, except in those lands within the public right-of-way, unless the owner intentionally damaged the underground facility or acted with wanton disregard or recklessness in damaging the facility. As used in this subsection, "owner" includes a family member, employee, or tenant of the owner.

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