

HOUSE BILL No. 1218

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-1-26-18.5.

Synopsis: Locating underground utility infrastructure. Amends the statute concerning the location of underground utility facilities (state 811 law) to provide that for any new or replacement underground facility that an operator installs or causes to be installed after June 30, 2020, the operator shall ensure that: (1) the materials from which the facility is constructed are capable of being detected from above ground level using standard equipment and technologies used by the utility locating industry; or (2) if the materials from which the facility is constructed are not capable of being detected from above ground level using standard locating techniques, the facility is encased by conductive material or is equipped with an electrically conducting wire or other means of locating the facility while it is underground. Specifies that after June 30, 2020, a regulation of the federal Pipeline and Hazardous Materials Safety Administration continues to apply with respect to the installation of plastic gas pipelines. Provides an exception from the bill's requirements for the installation of a sewer or storm facility if the operator ensures that a conductive tool can be introduced into the line, such as through a clean out access point.

Effective: Upon passage.

Manning

January 13, 2020, read first time and referred to Committee on Utilities, Energy and Telecommunications.



Second Regular Session of the 121st General Assembly (2020)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2019 Regular Session of the General Assembly.

HOUSE BILL No. 1218

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 8-1-26-18.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: **Sec. 18.5. (a) This section applies to any new or**
4 **replacement underground facility that an operator installs or**
5 **causes to be installed after June 30, 2020.**
6 **(b) Subject to any other applicable federal or state laws or**
7 **regulations, and except as provided in subsection (d), for any new**
8 **or replacement underground facility that an operator installs or**
9 **causes to be installed, the operator shall ensure that:**
10 **(1) the materials from which the facility is constructed are**
11 **capable of being detected from above ground level using**
12 **standard equipment and technologies used by the utility**
13 **locating industry, such as electromagnetic locating equipment,**
14 **electromagnetic induction surveys, and ground penetrating**
15 **radar; or**
16 **(2) subject to subsection (c), if the materials from which the**
17 **facility is constructed are not capable of being detected from**



1 above ground level using standard locating techniques, as
2 described in subdivision (1), the facility is:

3 (A) encased by conductive material; or

4 (B) equipped with an electrically conducting wire or other
5 means of locating the facility while it is underground.

6 (c) After June 30, 2020, 49 CFR 192.321 continues to apply with
7 respect to the installation of a pipeline facility that is constructed
8 from plastic.

9 (d) Subsection (b) does not apply to the installation of a sewer or
10 storm facility if the operator ensures that a conductive tool can be
11 introduced into the line, such as by running a rod containing metal
12 through the line from a clean out access point.

13 (e) The commission may adopt rules under IC 4-22-2 to
14 implement this section, including emergency rules in the manner
15 provided under IC 4-22-2-37.1. Notwithstanding IC 4-22-2-37.1(g),
16 an emergency rule adopted by the commission under this
17 subsection and in the manner provided under IC 4-22-2-37.1
18 expires on the date on which a rule that supersedes the emergency
19 rule is adopted by the commission under IC 4-22-2-24 through
20 IC 4-22-2-36.

21 SECTION 2. An emergency is declared for this act.

