

HOUSE BILL NO. HB0047

Architects and engineers-underground facilities notice.

Sponsored by: Representative(s) Laursen, Crank, Gierau,
Miller and Simpson and Senator(s) Bebout and
Von Flatern

A BILL

for

1 AN ACT relating to underground public utility facilities;
2 modifying requirements for architectural and engineering
3 plans to include information concerning underground
4 facilities; specifying information required to be provided
5 by operators of underground facilities; and providing for
6 an effective date.

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

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10 **Section 1.** W.S. 37-12-302(b) is amended to read:

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

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1 (b) Any person requiring or ~~designing~~preparing
2 architectural or engineering drawings or designs that call
3 for excavation in or adjacent to any public street, alley,
4 sidewalk or right-of-way dedicated to public use or a
5 utility easement shall obtain information from operators,
6 as to the nature, location, and depth if known, of
7 underground facilities. ~~If the information is not~~
8 ~~available, the person requiring or designing architectural~~
9 ~~or engineering drawings that call for excavation shall~~
10 ~~determine at their expense the nature and location of the~~
11 ~~underground facilities. The person requiring or designing~~
12 ~~architectural or engineering drawings that call for~~
13 ~~excavation~~ and shall make the information ~~and location~~ a
14 part of the plan by which the excavators operate. Except
15 as otherwise provided in this subsection, operators shall
16 upon request make available all records showing the
17 location of underground facilities within ten (10) business
18 days of the request and shall at the operator's expense use
19 reasonable care to mark the location of underground
20 facilities in the same manner as provided in subsection (d)
21 of this section. An operator may require additional
22 information from any person making a request under this
23 subsection including information concerning the person's

1 criminal background history or professional credentials. An
2 operator may deny unreasonable or illegitimate requests
3 made under this subsection and shall notify the person of
4 the reason for denial within ten (10) business days of the
5 request.

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7 **Section 2.** This act is effective July 1, 2018.

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9

(END)