



# HOUSE BILL No. 5230

December 2, 1993, Introduced by Reps. Stallworth, Points, Dobronski, DeMars, Rivers, Profit, Palamara, Bennane, Gustafson, Byrum, Middaugh, Dobb, Bullard, Bankes, Baade, Griffin, Owen, Galloway, Hammerstrom and Leland and referred to the Committee on Public Utilities.

A bill to amend section 8 of Act No. 53 of the Public Acts of 1974, entitled as amended

"An act to protect the public safety by providing for notices to public utilities by persons or public agencies engaged in certain construction related activities near underground facilities or demolishing buildings containing utility facilities; to provide for notices to affected parties when underground facilities are damaged; and to prescribe penalties,"

as amended by Act No. 248 of the Public Acts of 1989, being section 460.708 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 8 of Act No. 53 of the Public Acts of  
2 1974, as amended by Act No. 248 of the Public Acts of 1989, being  
3 section 460.708 of the Michigan Compiled Laws, is amended to read  
4 as follows:

5 Sec. 8. ~~A public utility served with the notice in~~  
6 ~~accordance with sections 5 or 7 shall, not~~ NOT less than 1

1 working day in advance of proposed construction, unless otherwise  
 2 agreed between the person or public agency performing the excava-  
 3 tion, discharging of explosives, drilling, boring, tunneling, or  
 4 demolition and the public utility, A PUBLIC UTILITY SERVED WITH  
 5 NOTICE PURSUANT TO SECTION 5 OR 7 SHALL inform the person or  
 6 public agency of the approximate location of the underground  
 7 facilities owned or operated by the public utility in the pro-  
 8 posed area of excavation, discharging of explosives, drilling,  
 9 boring, tunneling, or demolition, in a manner ~~as to enable~~ THAT  
 10 ENABLES the person or public agency to employ hand dug test holes  
 11 or other similar means of establishing the precise location of  
 12 the underground facilities using reasonable care to establish the  
 13 precise location of the underground facilities in advance of  
 14 construction. For the purposes of this act, the approximate  
 15 location of underground facilities is defined as a strip of land  
 16 at least 36 inches wide but not wider than the width of the  
 17 facility plus 18 inches on either side of the facility. If the  
 18 approximate location of an underground facility is marked with  
 19 stakes or other physical means, the public utility shall follow  
 20 the color coding prescribed ~~herein~~ IN THIS SECTION.

21 Utility and Type of Product	Specific Group Identifying Color
22 Electric power distribution and	
23 transmission	Safety red
24 Municipal electric systems	Safety red
25 Gas distribution and	
26 transmission	High visibility safety yellow

- 1 Oil distribution and
- 2 transmission High visibility safety yellow
- 3 Dangerous materials, product
- 4 lines High visibility safety yellow
- 5 Telephone and telegraph systems Safety alert orange
- 6 Cable television Safety ~~brown~~ ALERT ORANGE
- 7 Police and fire communications Safety alert orange
- 8 Water systems Safety precaution blue
- 9 Sewer systems Safety ~~green~~ BROWN
- 10 Storm drains Safety green
- 11 If the precise location of the underground facilities cannot be
- 12 established, the person or public agency shall then notify the
- 13 public utility, which shall no later than 1 working day after the
- 14 notice provide such further assistance as may be needed to deter-
- 15 mine the precise location of the underground facilities in
- 16 advance of the proposed excavating, tunneling, discharging of
- 17 explosives, drilling or boring procedures, or demolition
- 18 operations. Where demolition of a building is proposed and the
- 19 public utility is notified, it shall be given reasonable time to
- 20 remove or protect its facilities before demolition of the
- 21 building.