

HOUSE BILL No. 4624

March 21, 1991, Introduced by Reps. Stallworth, Bartnik, DeMars, Wallace, Dobronski, Kosteva, Murphy, Clack, Wozniak, Stopczynski, Hoffman, Munsell, Muxlow and Gubow 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~~ SECTION 5 or 7 shall, 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, inform the person or public
 5 agency of the approximate location of the underground facilities
 6 owned or operated by the public utility in the proposed area of
 7 excavation, discharging of explosives, drilling, boring, tunnel-
 8 ing, or demolition, in a manner as to enable the person or public
 9 agency to employ hand dug test holes or other similar means of
 10 establishing the precise location of the underground facilities
 11 using reasonable care to establish the precise location of the
 12 underground facilities in advance of construction. For the pur-
 13 poses of this act, the approximate location of underground facil-
 14 ities is defined as a strip of land at least 36 inches wide but
 15 not wider than the width of the facility plus 18 inches on either
 16 side of the facility. If the approximate location of an under-
 17 ground facility is marked with stakes or other physical means,
 18 the public utility shall follow the color coding prescribed
 19 ~~herein~~ IN THIS SECTION.

20 Utility and Type of Product	Specific Group Identifying Color
21 Electric power distribution and	
22 transmission	Safety red
23 Municipal electric systems	Safety red
24 Gas distribution and	
25 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
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.