



Underground Damage Prevention Legislation

Proposed Changes
to
“Call Before You Dig”

Q1 2009



History of “Call Before You Dig”

ORC 3781.25 to 3781.32

- **1982...Ohio Legislators pass House Bill 538- providing for the identification and location of underground utilities prior to construction**
- **1989...Ohio Legislators pass House Bill 174- requiring that ALL utility owners/ operators participate in the “Call Before You Dig” process by registering their facilities with a Protection Service**
- **1990...Ohio Legislators pass Senate Bill 264- requiring that ANYONE intent on excavating must provide notice through the Protection Service(s)**



“Call Before You Dig” Today...

- **The current underground protection statutes of the ORC have been in place without revision for several decades**
- **A consortium of association partners has begun a legislative initiative to seek improvements to the ORC**
- **The intent of the initiative is to clarify, qualify and address the deficiencies that exist in the current ORC**
- **O.U.P.S’ role in the initiative**
- **Each Stakeholder has a personal responsibility to public safety through underground facility protection**



“Call Before You Dig” Tomorrow

The Primary Concepts...

- **Proposed notification response time change –
48 hours to 2 working days excluding the day of the call**
- **Proposed “Pre-Marking” provision**
- **Proposed “Horizontal Directional Drill” Provision**
- **Stakeholder membership in a Protection Service**
- **Elimination of “Limited Basis Participation” – True One-Call**
- **Revision of ORC 153.64 to compliment 3781.25 to 3781.32**
- **Proposed “Positive Response” provision**
- **Proposed “Sunset Review” provision**



The Primary Concepts Continued...

- **Proposed accountability and enforcement provision**

The establishment of an Underground Protection Advisory Committee (UPAC) made up of stakeholder representatives.

The establishment of an Underground Protection Commission (UPC) made up of non-stakeholder interests

Enforcement directed at the habitual / willful non-complier

Excessive penalty revenue will be available to stakeholders for public education and awareness initiatives through a grant process



Current Status...

- **Senator Steve Buehrer has published a proposed draft bill**

Senator Buehrer has hosted several interested parties meetings and collected comments, concerns and ideas

Senator Buehrer will release a revised draft, host another interested parties meeting and detail a schedule for introduction to the Ohio Senate

- **The draft bill and status updates will available on the Ohio Utilities Protection Service web site...**

www.oups.org



Questions?