

ONE HUNDRED SIXTH LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 440

Introduced by Friesen, 34.

PURPOSE: The purpose of this interim study is to explore existing laws, rules, and regulations related to excavation, in particular excavation regarding underground facilities, and consider policy changes which may decrease instances of excavation-related damage to underground facilities.

The study shall include, but not be limited to, an examination of the following:

(1) Existing laws, rules, regulations, and best practices related to notice of excavation, locating and marking underground facilities, excavation, notice of damage to underground facilities, and repair of underground facilities, including the provisions of the One-Call Notification Systems Act;

(2) Codification of best practices, including excavation methodologies and limitations on the scope of a single location ticket;

(3) Opportunities to increase clarity regarding the scope of an upcoming excavation in order to improve the locating and marking of underground facilities, including physically marking the scope of an excavation project;

(4) Whether the time afforded to operators to locate and mark underground facilities upon receiving notice of excavation is sufficient or whether such time should be extended; and

(5) Requirements for requesting subsequent locating and marking of underground facilities following initial notice of excavation.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.