

By: Representative Steverson

To: Public Utilities

HOUSE BILL NO. 1334
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 77-13-9, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE MISSISSIPPI 811 LAW TO PROVIDE FOR CERTAIN
3 NOTIFICATIONS TO OCCUR THROUGH THE POSITIVE RESPONSE INFORMATION
4 SYSTEM (PRIS); AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** Section 77-13-9, Mississippi Code of 1972, is
7 amended as follows:

8 77-13-9. (1) Every person owning or operating underground
9 utility lines or underground facilities shall, upon receiving
10 advance notice of the commencement of excavation, in accordance
11 with Section * * * 77-13-5, make an investigation, and * * * shall
12 report through the use of the PRIS the status of the work
13 performed, within two (2) working days from the time notice is
14 provided in accordance with this chapter to Mississippi 811, Inc.,
15 to determine the approximate location of its underground utility
16 lines or underground facilities in the area of the proposed
17 excavation, and shall either: (a) mark the approximate location
18 of underground utility lines and underground facilities in or near
19 the area of the excavation, so as to enable the person engaged in



20 excavation work to locate the lines and facilities in advance of
21 and during the excavation work and notify the excavator through
22 the PRIS that the facilities have been marked; (b) advise * * *
23 through the PRIS that it has no underground utility lines or
24 underground facilities in the excavation area; or (c) advise * * *
25 through the PRIS that it can locate its underground utility lines
26 or underground facilities in the excavation area only by
27 excavation. If an operator can locate its underground utility
28 lines or underground facilities in the excavation area only by
29 excavation and has given proper notice of such, that operator
30 shall be allowed a reasonable amount of additional time, not to
31 exceed four (4) working days from the day the original notice was
32 provided in accordance with this chapter, to mark the approximate
33 location of the underground utility lines or underground
34 facilities.

35 (2) In lieu of such marking, the operator may request to be
36 present at the site upon commencement of the excavation, so long
37 as the operator complies within two (2) working days of the
38 receipt of the notice.

39 (3) When an excavator, upon arriving at an excavation site,
40 sees evidence of unmarked underground utility lines or underground
41 facilities or encounters an unmarked underground utility line or
42 underground facility on an excavation site after excavation has
43 commenced where notice of intent has been made in accordance with
44 the provisions of this chapter, that excavator must immediately



45 contact Mississippi 811, Inc. All operator(s) thus notified must
46 contact the excavator within four (4) hours and inform the
47 excavator of any of their known underground facilities, active or
48 abandoned, at the site of the excavation.

49 (4) When marking the approximate location of the facilities,
50 the operator shall follow the color code designated and described
51 herein, unless otherwise provided for by specific administrative
52 rule or regulation promulgated pursuant to this chapter, namely:

53 UTILITY OR TYPE OF FACILITY	GROUP IDENTIFYING COLOR
54 Electric	Safety Red
55 Petroleum Product/Hazardous/ 56 Flammable/Corrosive/Toxic 57 Materials, Product and Steam 58 Lines, Gas or Gaseous Material	High Visibility Safety 59 Yellow
60 Telecommunications (including fiber 61 optics) and CATV	Safety Alert Orange
62 Potable Water	Safety Precaution Blue
63 Reclaimed Water, Irrigation, 64 Slurry Lines	Purple
65 Sewer and Drain Lines	Safety Green
66 Temporary Survey Markings	High Visibility Pink
67 Proposed Excavation	White

68 (5) All utility facilities installed by owners or operators
69 of utilities on or after January 1, 2010, shall be installed in



70 such manner that the utility facility may be located by using a
71 generally accepted electronic locating method.

72 (6) Except for emergency excavations, if, before the
73 expiration of the two (2) working days' waiting period, all
74 identified facility owners or operators have responded to the
75 locate request and all have indicated that their facilities are
76 either not in conflict or have been marked as indicated through
77 the use of the PRIS, then the person planning to perform
78 excavation or blasting shall be authorized to commence work,
79 subject to the other requirements of this section, without waiting
80 the full two (2) working days.

81 (7) Upon receiving a design information request, the utility
82 owner or operator shall within seven (7) working days from the
83 time notice is provided in accordance with this chapter to
84 Mississippi 811, Inc., respond by one (1) of the following
85 methods: (a) marking the approximate location of its underground
86 utility lines and underground facilities in the area in accordance
87 with subsection (1) of this section; (b) providing to the person
88 making the design information request the best available
89 description of its underground utility lines and underground
90 facilities in the area which may include drawings or other records
91 maintained by the utility owner or operator; or (c) allowing the
92 person making the design information request or any other
93 authorized person to inspect or copy the drawings or other records



94 for all underground utility lines and utility facilities in the
95 area.

96 **SECTION 2.** This act shall take effect and be in force from
97 and after January 1, 2021.

