

State of South Dakota

NINETY-THIRD SESSION LEGISLATIVE ASSEMBLY, 2018

400Z0339

HOUSE BILL NO. _____

Introduced by: _____

1 FOR AN ACT ENTITLED, An Act to revise certain notification provisions regarding damage
2 of underground facilities.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 49-7A-12 be amended to read:

5 49-7A-12. If any underground facility is damaged, dislocated, or disturbed in advance of or
6 during excavation work, the excavator shall immediately notify ~~the operator of the facility, or,~~
7 ~~if unknown,~~ the one-call notification center and the operator of the facility of such the damage,
8 dislocation, or disturbance. No excavator may conceal or attempt to conceal ~~such any~~ damage,
9 dislocation, or disturbance, nor may that excavator attempt to make ~~repairs any repair~~ to the
10 facility unless authorized by the operator of the facility. If the damage, dislocation, or
11 disturbance results in the escape of any flammable, toxic, or corrosive gas or liquid, the
12 excavator shall immediately report the escape to authorities by calling the 911 emergency
13 telephone number and notifying the one-call notification center and the operator of the facility.

