



Colorado 811 Legislative Changes

OVERVIEW

- Safety Commission Responsibilities
- True One Call
- Member Responsibilities
- Excavator Responsibilities
- New Ticket Format
- New Ticket Types
- Wrap Up and Questions

Background

BACKGROUND

Senate Bill 18-167

December 2015 PHMSA stated that Colorado failed to meet the federal criteria for enforcement

April 17, 2017 a deadly house explosion in Firestone, Colorado occurred



(credit: CBS)



Colorado 811 Legislative Changes

UNDERGROUND DAMAGE PREVENTION SAFETY COMMISSION

- The Commission will review complaints of alleged violations and order appropriate remedial action/penalties

Make recommendations to the following:

- Best practices and training
- Policies to enhance public safety
- Policies to improve efficiency and cost savings to the 811 program

See meeting dates, complaint form and more at
[https://www.colorado.gov/pacific/ops/
UDPSafetyCommission](https://www.colorado.gov/pacific/ops/UDPSafetyCommission)

Commission
Members

Commission
Meetings

COMMISSION MEMBERS

Member	Category	Term Expiration Date
Jim Moody	Contractor	01/01/2020
Randy Wheelock	County	01/01/2020
Jeannette Jones	Energy Producer	01/01/2020
Jeff Rumer	Excavator	01/01/2020
Chris Kampmann	Municipality	01/01/2020
Mike Mills	Water Utility	01/01/2020
Raymond Swerdferger	Excavator	01/01/2021
Eric Kirkpatrick	Investor-Owner Utilities	01/01/2021
Lori Warner	Pipeline Company	01/01/2021
Mark Jurgemeyer	Rural Electric Cooperative	01/01/2021
Patrick Fitzgerald	Special District	01/01/2021
Katharine Duitsman	Engineer	01/01/2022
Mark Frasier	Farming/Ranching	01/01/2022
Thomas Sturmer	Telecommunications/Broadband	01/01/2022
Julie Mileham	Transportation	01/01/2022

Safety Commission Meetings

The Safety Commission meets at Colorado Department of Labor and Employment
633 17th Street, Suite 500 (5th floor)
Denver, CO 80202


Upcoming meetings:

- Wednesday, February 13, 2019
- Wednesday, March 13, 2019
- Thursday, April 11, 2019

Meetings are open to the public, you must register online at <https://www.colorado.gov/pacific/ops/UDPSafetyCommission>



Colorado 811 Legislative Changes



Tier 2 to Tier 1
Transition

True
One Call

Transition
Timeline

TRANSITION TIMELINE

- Tier Two Members will receive notifications/tickets starting Jan 1, 2019
- Tier Two Members **MUST** convert to Tier One by January 1, 2021

FEE STRUCTURE

- Converting Members - \$25 Registration Fee is waived
- Converted Members - No ticket fees until January 2021

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**Member
Responsibilities**

Responsibilities
with 811

Positive
Response

Marking
Standards

New
Underground
Facilities

MEMBER RESPONSIBILITIES

- Post a response to each ticket via CO811 Positive Response
- Keep all contact information up-to-date
- Maintain a functioning email address
- Receive One Call notifications
- Respond to each ticket by the due date
- Report damages to the DIRT, within 90 days of restoration

POSITIVE RESPONSE

MANDATORY POSITIVE RESPONSE THROUGH COLORADO 811

- All ticket types require a response
- Members must upload ticket attachments or links to attachments to Positive Response. Comments are optional.
- New positive responses to choose from

- Positive Response Re-notification (if no response)
- Positive Response Attachment (photos, sketches, etc)

MARKING STANDARDS



LATERALS IN PUBLIC RIGHT-OF-WAY

- Location, Number, Size, including laterals in public right-of-way
 - If sewer lateral cannot be electronically located, the excavator shall find it
-
- Marking customer owned laterals in public right-of-way is informational only
 - Owner/operator not liable to any party for damages or injuries done to customer owned laterals
 - ***Given from safety commission - we do not have the final standards yet

New Underground Facilities



- All new underground facilities, including laterals up to the structure or building being served, installed after August 8, 2018 must be electronically locatable when installed.



Excavator Responsibilities



Locate Marks and
Documentation

Locate Marks and Documentation

- Excavator shall maintain adequate and accurate documentation at the excavation site and maintain adequate markings of any UG facilities throughout the excavation period
- Locate marks shall be considered valid so long as they are clearly visible, but not for more than 30 calendar days following the due date of the locate request
- When a person excavates within 18" horizontally from the exterior sides of any marked UG facility, the person shall use nondestructive means of excavation to identify UG facilities
- When utilizing trenchless excavation methods, the excavator shall expose UG facilities and visually observe the safe crossing of marked UG facilities when requested by facility owner/operator



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New Ticket Format

New
Ticket
Features

Excavator
Ticket
Attachment

NEW TICKET INFORMATION

- Meet date/time field
- Excavator mailing address
- Potholing company contact (secondary excavator)
- Link to CO811 map (displaying dig site polygon)

SECONDARY EXCAVATOR

- **Secondary Excavator** will be covered under original locate ticket for exposing utilities (ex. potholing, hydro excavation) only
 - Secondary excavator must be listed at time of request (cannot be listed after)
- Company Name, Contact, Phone and E-mail address will be collected

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EXCAVATOR TICKET ATTACHMENT

- If an area of excavation cannot be accurately described on the locate request, the excavator can notify the member of planned excavation by using one or more of the following methods:
 - Physical delineation with white marks on a hard surface area (premarking)
 - Electronic delineation on a **map**, plan sheet or aerial photograph (must be electronically transmitted from excavator to member through CO811)
 - Schedule an on-site meeting

NOTE: Colorado 811 developers and IT are currently working to build a tool for this process.



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Learn about the new
ticket types and how
to respond

New Ticket Types

Excavator
Re-notification
Ticket

Engineering
Tickets

Road
Grading
Ticket

EXCAVATOR RE-NOTIFICATION

Relabeling 2nd Notice Ticket to Excavator Re-notification

- **Excavator Re-notification:** Excavator requesting some or all facility owners to be re-notified due to not receiving locates, facility not found in locate area, incomplete locate, incorrect area located, facility owner no show or facility owner no show at meet time
 - Excavator may proceed with excavation and is not liable for such damage except upon proof of excavator's lack of reasonable care.
- **Positive Response Re-notification:** CO811 will continue to send out re-notifications daily until the positive response is received.
 - These notifications will be charged to the member at the standard ticket transmission fee.

SUBSURFACE UTILITY ENGINEERING

- Project being designed by a license professional engineer; includes the investigation and depiction of existing underground facilities that meet or exceed ASCE38 Standard
- Primarily horizontal construction
- SUE project requires design services of a licensed professional engineer
- Construction contract with public entity
- Excavation footprint that exceeds two feet in depth and contiguous 1,000 square feet
- Involves utility boring (no rotomilling, fencing or sign install)

RESPONDING TO SUE TICKETS

- Owner/Operator to respond to SUE notification request within 10 business days not including the day of the request
- Location records giving available information on the location, not to include depth
- Marks on the ground giving approximate location, not to include depth
- Available information as to the approximate location, not to include depth

ENGINEERING VS. SUE

- Engineering - **ENGR**
 - No specified time frame for response to excavator
 - This ticket type will remain the same
 - Due as soon as practicable
- Subsurface Utility Engineering (SUE) - **SSUE**
 - Due within 10 business
 - Maps and documentation must be provided to excavator through CO811

ROAD GRADING TICKETS

- All members within the county will be notified of a road grading ticket
- Annual road grading maintenance that **does not exceed six inches in depth** conducted by a governmental agency on an **existing unpaved road**, the markings shall be considered valid for up to 180 days
- Upon receiving the ticket, members have 10 business days (not including the day of the request) **to coordinate** the excavation activity with the governmental agency
- Not to include any work in ditches



Colorado 811 Legislative Changes

LEARN MORE ABOUT LEGISLATION

- Stay updated on the new legislation by visiting www.co811.org/one-call-legislation
- Legislative FAQ
- Safety Commission updates
- Subscribe to our email list
- Follow us on social media

LIAISON SERVICES REMINDER

Denver Metro Region - Neeley Duran

Northeast Region - Alicia Hays

Northwest Region - Sanatam Khalsa

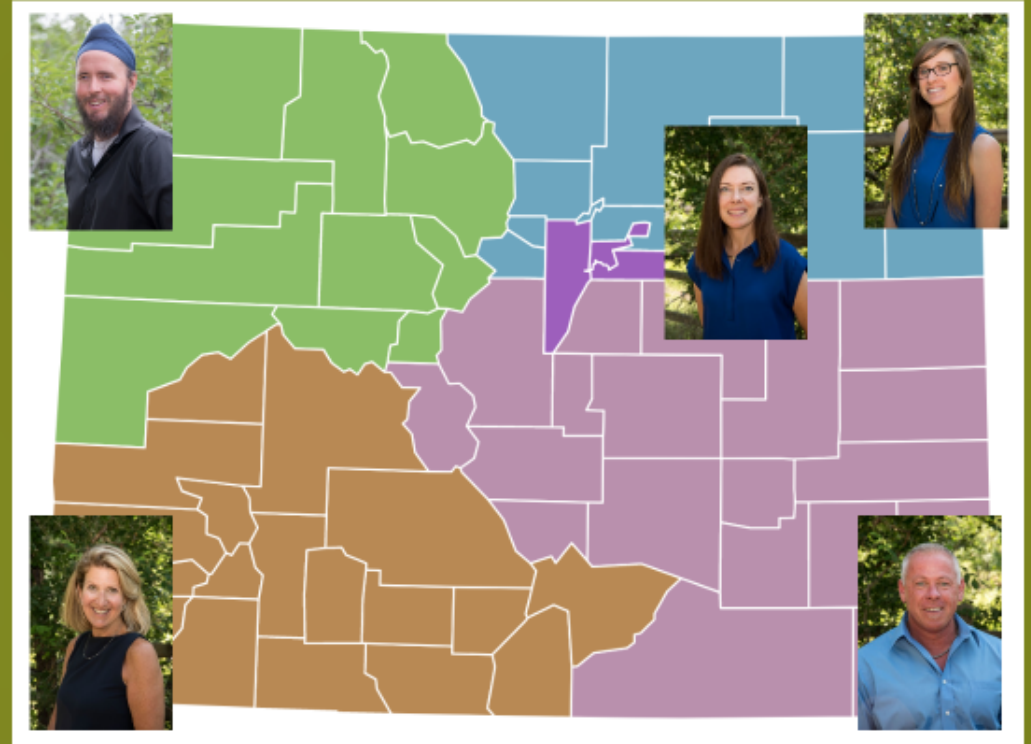
Southwest Region - April Prout-Ralph

Southeast Region - Todd Griffeth

Liaison Services include:

- 101 Class – One Call Basics
- 201 Class – Reasonable Care and CGA Best Practices
- Web Ticket Entry – to process locate requests online
- General Safety Presentations
- One Call Law Presentations

The Damage Prevention Liaisons will travel to your office to give any of these classes or presentations. They also work trade shows and community events to educate homeowners about the importance of 811.



THANK YOU & QUESTIONS

For questions regarding Colorado 811 membership, please contact our Member Services Department at member-services@co811.org.

Visit our website www.co811.org and click "One Call Legislation" to learn more about the new law changes.





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