

By Representative Dockery

1                                   A bill to be entitled  
2           An act relating to underground facilities;  
3           amending s. 556.105, F.S.; requiring hand  
4           digging or vacuum excavation of certain areas  
5           for certain purposes prior to any excavation or  
6           demolition; providing additional requirements;  
7           amending s. 556.107, F.S.; specifying an  
8           additional noncriminal infraction; providing a  
9           penalty; amending s. 556.108, F.S.; providing  
10          an additional exception to certain notice  
11          requirements for certain excavations; providing  
12          an effective date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

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16           Section 1. Paragraph (c) is added to subsection (6) of  
17 section 556.105, Florida Statutes, to read:

18           556.105 Procedures.--

19           (6)

20           (c) Wherever an underground facility has been marked  
21 or otherwise designated by a member operator within a proposed  
22 work area, the excavator shall not perform any excavation or  
23 demolition using any mechanized means, including, but not  
24 limited to, boring, trenching with machinery, driving  
25 reinforcing rods, grading, or any other mechanized or powered  
26 means, within or which may come within 2 feet of the outer  
27 edge of any side of the marked or designated underground  
28 facility, which is defined as the 2-foot tolerance zone,  
29 unless, prior to such excavation or demolition, the excavator  
30 hand digs or vacuum excavates to verify the exact position,  
31 consisting of the location, type, size, direction of run, or

1 depth, of the underground facility for purposes of avoiding  
2 damage to the underground facility. Such hand digging or  
3 vacuum excavation shall be performed at least every 25 feet  
4 for the length of any such excavation or demolition within the  
5 2-foot tolerance zone. Such verification shall be completed  
6 before any excavation or demolition is commenced on a project,  
7 or shall be performed as the work progresses so long as the  
8 exact position is verified prior to any such excavation or  
9 demolition in a particular work area. Notwithstanding this  
10 paragraph, an excavator may use any mechanized means of  
11 removal of pavement or masonry only to the depth of such  
12 pavement or masonry.

13 Section 2. Paragraph (a) of subsection (1) of section  
14 556.107, Florida Statutes, is amended to read:

15 556.107 Violations.--

16 (1) NONCRIMINAL INFRACTIONS.--

17 (a) Violations of the following provisions are  
18 noncriminal infractions:

19 1. Section 556.105(1), relating to providing required  
20 information.

21 2. Section 556.105(6), relating to the avoidance of  
22 excavation.

23 3. Section 556.105(11), relating to the need to stop  
24 excavation or demolition.

25 4. Section 556.105(12), relating to the need to cease  
26 excavation or demolition activities.

27 5. Section 556.105(6)(c), relating to verification of  
28 underground facilities.

29 Section 3. Subsection (6) is added to section 556.108,  
30 Florida Statutes, to read:

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