

Bill No. CS for CS for CS for SB 1394

Barcode 062654

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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Senator Miller moved the following amendment:

**Senate Amendment (with title amendment)**

On page 19, line 3, through  
page 20, line 5, delete those lines

and insert:

Section 8. Subsections (1), (4), and (5) of section  
556.108, Florida Statutes, are amended to read:

556.108 Exemptions.--The notification requirements  
provided in s. 556.105(1) do not apply to:

(1) Any excavation or demolition performed by the  
owner of a single-family residential property, not including  
property that is subdivided or is to be subdivided into more  
than one single-family residential property; or for such owner  
by a member operator or an agent of a member operator when  
such excavation or demolition is made entirely on such land,  
and only up to a depth of 10 inches; provided due care is used  
and there is no encroachment on any member operator's  
right-of-way, easement, or permitted use.

(4) Any excavation of 18 inches or less for:

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1           (a) Surveying public or private property by surveyors  
 2 or mappers as defined in chapter 472 and services performed by  
 3 a pest control licensee under chapter 482, excluding marked  
 4 rights-of-way, marked easements, or permitted uses where  
 5 marked, if ~~provided~~ mechanized equipment is not used in the  
 6 process of such surveying or pest control services and the  
 7 surveying or pest control services are ~~is~~ performed in  
 8 accordance with the practice rules established under s.  
 9 472.027 or s. 482.051, respectively; ~~or~~

10           (b) Maintenance activities performed by a state agency  
 11 and its employees when such activities are within the  
 12 right-of-way of a public road; however, ~~provided,~~ if a member  
 13 operator has permanently marked facilities on such  
 14 right-of-way, ~~no~~ mechanized equipment may not be used without  
 15 first providing notification; or

16           (c) Locating, repairing, connecting, adjusting, or  
 17 routine maintenance of a private or public underground utility  
 18 facility by an excavator, if the excavator is performing such  
 19 work for the current owner or future owner of the underground  
 20 facility and if mechanized equipment is not used.

21           (5)(a) Any excavation with hand tools by a member  
 22 operator or an agent of a member operator for:

23           1.(a) ~~Locating, repairing, connecting, or protecting,~~  
 24 ~~or routine maintenance of, the member operator's underground~~  
 25 ~~facilities; or~~

26           2.(b) The extension of a member operator's underground  
 27 facilities onto the property of a person to be served by such  
 28 facilities.

29           (b)(c) The exemption provided in this subsection  
 30 ~~paragraphs (a) and (b)~~ is limited to excavations to a depth of  
 31 30 inches if the right-of-way has permanently marked

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1 facilities of a company other than the member operator or its  
2 agents performing the excavation.

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5 ===== T I T L E A M E N D M E N T =====

6 And the title is amended as follows:

7 On page 2, lines 18-25, delete those lines

8

9 and insert:

10 proceedings; amending s. 556.108, F.S.;  
11 revising provisions that exempt excavation or  
12 demolition by the owner of residential property  
13 from specified notification requirements to  
14 exclude certain property that is subdivided or  
15 to be subdivided; providing that certain  
16 excavations are exempt from mandatory location  
17 notification if mechanized equipment is not  
18 used; exempting pest control services under  
19 certain circumstances; amending s. 556.111,  
20 F.S.;

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