

CS/CS/SB 982 — Underground Facility Damage Prevention & Safety

by Judiciary Committee; Communications, Energy, and Public Utilities Committee; and Senator Bennett

This bill revises provisions of the Underground Facility Damage Prevention and Safety Act in chapter 556, Florida Statutes. Specifically, the bill amends ss. 556.101, 556.103, 556.105, 556.106, 556.107, 556.109 and 556.110, F.S., relating to the act. The revisions prohibit local governments from enacting ordinances or rules that conflict with the act; establish a program through the Division of Administrative Hearings for evaluating allegations of damage caused to high-priority subsurface installations; require the clerk of court to report annually on infractions under the act; and increase the amount of the civil penalty that may be imposed for a noncriminal infraction to \$500 from the current level of \$250.

This bill also creates ss. 556.114, 556.115, and 556.116, F.S. These sections provide for low-impact marking of underground facilities; require Sunshine State One-Call Florida, Inc., to establish an educational program for the purpose of informing excavators and member operators about low-impact marking practices; require One-Call to establish a voluntary alternative dispute resolution program to resolve disputes arising from excavation activities; provide for excavations near high-priority subsurface installations and the process for resolving incidents involving these installations; and provide definitions of “high-priority subsurface installation” and “incident.”

If approved by the Governor, these provisions take effect October 1, 2010.

Vote: Senate 38-0; House 112-0