

SB167 L.003

## SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.SB18-167 be amended as follows:

- 1 Amend printed bill, page 4, line 2, after "THE" insert "DENTING OR".
- 2 Page 5, line 24, strike "(11), and (12)" and substitute "and (11)".
- 3 Page 11, line 7, strike "SECTION." and substitute "SECTION; EXCEPT THAT,  
4 IF AN EXCAVATION NOTICE IS LIMITED TO ONLY ANNUAL ROAD  
5 MAINTENANCE THAT DOES NOT EXCEED SIX INCHES IN DEPTH CONDUCTED  
6 BY A GOVERNMENTAL AGENCY ON AN EXISTING UNPAVED ROAD, THE  
7 MARKING SHALL BE CONSIDERED VALID FOR UP TO ONE HUNDRED EIGHTY  
8 DAYS. UPON RECEIPT OF THE NOTIFICATION, AN OWNER OR OPERATOR HAS  
9 TEN BUSINESS DAYS TO COORDINATE THE EXCAVATION ACTIVITY WITH THE  
10 GOVERNMENTAL AGENCY."
- 11 Page 11, line 8, strike "thirty-day" and substitute "~~thirty-day~~ APPLICABLE".
- 12 Page 11, line 11, strike "THE thirty-day" and substitute "~~thirty-day~~ THE  
13 APPLICABLE".
- 14 Page 14, line 13, after "ANY" insert "INTERSTATE OR INTRASTATE".
- 15 Page 14, line 15, after "EXCAVATOR" insert "OR PERSON THAT CAUSED  
16 THE DAMAGE".
- 17 Page 15, strike lines 2 through 9.
- 18 Page 15, line 22, strike "AND".
- 19 Page 15, after line 26 insert:  
20 "(C) POLICIES AND BEST PRACTICES TO IMPROVE EFFICIENCY AND  
21 COST SAVINGS TO THE 811 PROGRAM, INCLUDING THE REVIEW,  
22 ESTABLISHMENT, AND PERIODIC UPDATING OF INDUSTRY BEST STANDARDS,  
23 TO ENSURE THE HIGHEST LEVEL OF PRODUCTIVITY AND SERVICE FOR THE  
24 BENEFIT OF BOTH EXCAVATORS AND OWNERS AND OPERATORS; AND".
- 25 Page 16, line 6, after the period add "THE MEMORANDUM OF  
26 UNDERSTANDING MUST INCLUDE PROVISIONS OUTLINING THE ROLES AND  
27 RESPONSIBILITIES OF THE SAFETY COMMISSION REGARDING STATEWIDE  
28 ENFORCEMENT AND THE ROLES AND RESPONSIBILITIES OF THE  
29 NOTIFICATION ASSOCIATION IN ADMINISTERING THE NOTIFICATION  
30 ASSOCIATION AS OUTLINED IN SECTION 9-1.5-105."

1 Page 23, line 23, after the semicolon add "AND".

2 Page 23, strike lines 24 and 25.

3 Reletter succeeding paragraph accordingly.

4 Page 24, after line 27 insert:

5 "SECTION 5. In Colorado Revised Statutes, 9-1.5-104.5, amend  
6 (3)(c) as follows:

7 9-1.5-104.5. Civil penalties - applicability. (3) (c) The penalties  
8 AND REMEDIES provided in this article 1.5 are in addition to any other  
9 remedy at law or equity available to an excavator or to the owner or  
10 operator of a damaged underground facility, AND SECTIONS 9-1.5-104.2  
11 AND 9-1.5-104.4, REGARDING THE SAFETY COMMISSION'S ENFORCEMENT  
12 AUTHORITY, DO NOT LIMIT OR RESTRICT ANY OTHER REMEDY AT LAW OR  
13 EQUITY AVAILABLE TO AN EXCAVATOR OR TO THE OWNER OR OPERATOR  
14 OF A DAMAGED UNDERGROUND FACILITY."

15 Renumber succeeding sections accordingly.

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