Stricken language would be deleted from and underlined language would be added to present law. Act 448 of the Regular Session

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2	2 95th General Assembly <b>A Bill</b>	
3	3 Regular Session, 2025	SENATE BILL 401
4	4	
5	5 By: Senators J. Boyd, J. Dismang	
6	6 By: Representative Achor	
7	7	
8	8 For An Act To Be En	titled
9	9 AN ACT TO AMEND THE ARKANSAS UNDERG	GROUND FACILITIES
10	10 DAMAGE PREVENTION ACT; AND FOR OTHE	ER PURPOSES.
11	11	
12		
13	13 Subtitle	
14	14 TO AMEND THE ARKANSAS UNDERGR	OUND
15	15 FACILITIES DAMAGE PREVENTION	ACT.
16	16	
17	17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE ST	TATE OF ARKANSAS:
18	18	
19	19 SECTION 1. Arkansas Code § 14-271-109(a)	), concerning the notice
20	requirements to the One Call Center under the Arkansas Underground Facilities	
21	21 Damage Prevention Act, is amended to read as fo	ollows:
22	(a) Compliance with notice requirements of § 14-271-112 is not	
23	23 required for:	
24	24 (1) The moving of earth that is no	ot on a right-of-way or within
25	25 an easement of an operator using specialized eq	quipment that is specifically
26	26 designed to excavate without damaging undergrou	and facilities, including
27	27 without limitation equipment that excavates us:	ing pressurized water or air
28	28 coupled with a vacuum system or by tools manipu	lated only by human or animal
29	29 power;	
30	30 (2) The moving of earth by an open	rator that is on a right-of-way
31	31 or within an easement of the operator using spe	ecialized equipment that is
32	32 specifically designed to excavate without damage	ging underground facilities,
33	<pre>33 including without limitation:</pre>	
34	34 <u>(A)</u> equipment Equipment that	excavates using pressurized
35		
36	36 human power and exclusively for the purposes of	f system maintenance and leak



1	detection; or	
2	(B) Tools only manipulated by human power to a depth of	
3	not greater than twelve inches (12") within twelve inches (12") of the	
4	operator's terminal for other purposes;	
5	(3) Any agricultural purposes, including any form of cultivation	
6	for agricultural purposes, digging for postholes on private property,	
7	construction and maintenance of farm ponds, land clearing, or other normal	
8	agricultural purposes that are not on a right-of-way of an operator;	
9	(4) The opening of a grave in a cemetery that is not on a right-	
10	of-way of an operator; or	
11	(5) Routine road work and general maintenance as performed in	
12	the right-of-way by state or county maintenance departments, but excluding	
13	any work or maintenance involving any demolition or excavation.	
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16	APPROVED: 4/3/25	
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