

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

SENATE BILL 401

By: Senators J. Boyd, J. Dismang
By: Representative Achor

For An Act To Be Entitled

AN ACT TO AMEND THE ARKANSAS UNDERGROUND FACILITIES
DAMAGE PREVENTION ACT; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE ARKANSAS UNDERGROUND
FACILITIES DAMAGE PREVENTION ACT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 14-271-109(a), concerning the notice
requirements to the One Call Center under the Arkansas Underground Facilities
Damage Prevention Act, is amended to read as follows:

(a) Compliance with notice requirements of § 14-271-112 is not
required for:

(1) The moving of earth that is not on a right-of-way or within
an easement of an operator using specialized equipment that is specifically
designed to excavate without damaging underground facilities, including
without limitation equipment that excavates using pressurized water or air
coupled with a vacuum system or by tools manipulated only by human or animal
power;

(2) The moving of earth by an operator that is on a right-of-way
or within an easement of the operator using specialized equipment that is
specifically designed to excavate without damaging underground facilities,
including without limitation:

(A) equipment ~~equipment~~ that excavates using pressurized
water or air coupled with a vacuum system or by tools only manipulated by
human power and exclusively for the purposes of 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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