1 State of Arkansas

2 90th General Assembly

A Bill

3 Regular Session, 2015

SENATE BILL 814

4

5 By: Senator B. Pierce

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7 ## For An Act To Be Entitled

8 AN ACT TO AMEND THE ARKANSAS UNDERGROUND FACILITIES

9 DAMAGE PREVENTION ACT; AND FOR OTHER PURPOSES.

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12 ## Subtitle

13 TO AMEND THE ARKANSAS UNDERGROUND

14 FACILITIES DAMAGE PREVENTION ACT.

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

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19 SECTION 1. Arkansas Code § 14-271-113(a), concerning notice of damage

20 to an operator of an underground facility under the Arkansas Underground

21 Facilities Damage Prevention Act, is amended to read as follows:

22 (a)(1) Except as provided by subsection (b) of this section, each a

23 person responsible for any an excavation or demolition operation that results

24 in any damage to an underground facility shall:

25 (A) notify, Notify the operator immediately upon discovery

26 of the damage, the operator of the facility of the location and nature of the

27 damage and current work status of the excavation or demolition; and

28 (B) shall allow Allow the operator reasonable time to

29 accomplish necessary repairs before completing the excavation or demolition

30 in the immediate area of the underground facility.

31 (2) If the operator does not respond or repair the damage within

32 one (1) working day, the operator shall be responsible for actual damages to

33 the excavation or demolition arising from the delay of the operator.

34 (3) An excavation or demolition that relies on an operator's

35 markings that results in damage to an underground facility by the excavation

36 or demolition, the excavation or demolition shall be entitled to

1   reimbursement of actual damages to the excavation or demolition for the

2   operator's failure to mark correctly.

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