

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2644 Session of
2008

INTRODUCED BY PRESTON, GODSHALL, BARRAR, BRENNAN, CALTAGIRONE,
DENLINGER, FRANKEL, GEORGE, HARHAI, HERSHEY, KIRKLAND, KOTIK,
KULA, MCGEEHAN, MELIO, MENSCH, R. MILLER, MUSTIO, PAYTON,
READSHAW, REICHLEY, SIPTROTH, STABACK, WALKO, J. WHITE,
WOJNAROSKI AND YOUNGBLOOD, JUNE 18, 2008

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, JUNE 18, 2008

AN ACT

1 Amending the act of December 10, 1974 (P.L.852, No.287),
2 entitled, as amended, "An act to protect the public health
3 and safety by preventing excavation or demolition work from
4 damaging underground lines used in providing electricity,
5 communication, gas, propane, oil delivery, oil product
6 delivery, sewage, water or other service; imposing duties
7 upon the providers of such service, recorders of deeds, and
8 persons and other entities preparing drawings or performing
9 excavation or demolition work; and prescribing penalties,"
10 further providing for duties of facility owners.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. Section 2(5)(i.1) of the act of December 10, 1974
14 (P.L.852, No.287), referred to as the Underground Utility Line
15 Protection Law, amended November 29, 2006 (P.L.1593, No.181), is
16 amended to read:

17 Section 2. It shall be the duty of each facility owner:

18 * * *

19 (5) After receipt of a timely request from an excavator or
20 operator who identifies the site of excavation or demolition

1 work he intends to perform and not later than the business day
2 prior to the scheduled date of excavation:

3 * * *

4 (i.1) To, where contained on its continuing property
5 records, identify the location of an actually known facility's
6 point of connection to its facilities, where the point of
7 connection is not owned or operated by the facility owner. A
8 facility owner may identify the location of a known facility
9 connected to its facilities, but not owned or operated by the
10 facility owner, as a helpful guide to the excavator or owner.
11 The identification shall not be deemed to impose any liability
12 upon the facility owner for the accuracy of the other facility's
13 identification.

14 * * *

15 Section 2. This act shall take effect immediately.