

SB340 INTRODUCED



1 SB340
2 PS2HFGR-1
3 By Senator Chambliss
4 RFD: Finance and Taxation Education
5 First Read: 03-Mar-26



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SYNOPSIS:

Under existing law, as part of the Underground Damage Prevention Program, an operator of an underground utility facility must respond to a request to locate the facility for design or surveying purposes within a minimum time frame using specific methods.

This bill would remove providing locate requestors with a description of the underground facilities and allowing these requestors to view facility records from those methods by which operators may respond to locate requests.

This bill would require operators to complete locate requests that have not been completed within 20 calendar days of being submitted to the One-Call Notification System before completing any other locate request or other marking of facilities.

This bill would make operators liable for any costs incurred by a requestor due to project delay because a locate request remains incomplete 30 calendar days or more after being submitted to the system.

This bill would prohibit a contract locator from closing a locate request for purposes of the system.

This bill would also prohibit an operator from closing a locate request for purposes of the system unless the operator has field-verified that the



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29 facility has been marked.

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A BILL

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TO BE ENTITLED

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AN ACT

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36 Relating to the Underground Damage Prevention Program;
37 to amend Section 37-15-4.1, Code of Alabama 1975, to remove
38 certain methods by which utility facility operators may
39 respond to design or survey locate requests; to require
40 operators to complete locate requests that are incomplete
41 after 20 days of being submitted before completing other
42 locate requests; to provide operators are liable for project
43 delay costs incurred due to locate requests that are
44 incomplete 30 days after submitting; to prohibit contract
45 locators from closing locate requests; and to prohibit an
46 operator from closing a locate request unless the operator has
47 field-verified that the facility has been marked.

48 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

49 Section 1. Section 37-15-4.1, Code of Alabama 1975, is
50 amended to read as follows:

51 "§37-15-4.1

52 (a) Any person may submit a design or survey locate
53 request to the One-Call Notification System. The design or
54 survey locate request shall describe the tract or parcel of
55 land for which the design or survey locate request has been
56 submitted with sufficient particularity as defined by policies



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57 developed and promulgated by the One-Call Notification System
58 to enable the facility operator to ascertain the precise tract
59 or parcel of land involved and state the name, address,
60 telephone number, and facsimile number of the person who has
61 submitted the design or survey locate request and the company
62 name of the project owner.

63 (b) Within five working days after a design or survey
64 locate request has been submitted to the One-Call Notification
65 System for a proposed project, the operator shall ~~respond by~~
66 ~~one of the following methods:~~

67 ~~(1) Marking mark the approximate location of all~~
68 ~~underground facilities in the area of proposed excavation.~~

69 ~~(2) Providing to the person submitting the design or~~
70 ~~survey locate request the best available description of all~~
71 ~~underground facilities in the area of proposed excavation~~
72 ~~which may include drawings of underground facilities already~~
73 ~~built in the area or other facility records that are~~
74 ~~maintained by the facility operator.~~

75 ~~(3) Allowing the person submitting the design or survey~~
76 ~~locate request or any other authorized person to inspect or~~
77 ~~copy the drawings or other records for all underground~~
78 ~~facilities within the proposed area of excavation.~~

79 (c) An operator shall complete a design or survey
80 locate request that has not been completed within 20 calendar
81 days of submitting the request to the One-Call Notification
82 System before completing any other locate request or marking
83 any underground facilities in response to a notice of intent
84 to excavate or demolish pursuant to Section 37-15-6.



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85 (d) An operator shall be liable for any costs incurred
86 by a design or survey locate requestor due to a project being
87 delayed because the locate request remains incomplete 30
88 calendar days or more after being submitted to the One-Call
89 Notification System.

90 (e) A contract locator may not close a design or survey
91 locate request for purposes of the One-Call Notification
92 System.

93 (f) An operator may not close a design or survey locate
94 request for purposes of the One-Call Notification System
95 unless the operator has field-verified that the underground
96 facility has been marked."

97 Section 2. This act shall become effective on October
98 1, 2026.