

EXCAVATOR HANDBOOK

Safe Digging Guide



www.Colorado811.org



Disclaimer

This Excavator Handbook is subject to change as Colorado 811 law and procedures change. For the latest version, please visit www.co811.org (Resources - Education).

This handbook is intended for educational purposes only and is not a substitute for professional legal advice.

Colorado 811 reserves the right to update the Excavator Handbook at any time. When viewing the printed version, please note that it may not be the most updated version. The most up-to-date digital version can be found on the Colorado 811 website.

Following best practices and common sense protects people and property.

Preface

This manual has been prepared for the professional excavator. It is a reference tool for interacting with Colorado 811. Additional copies can be obtained by visiting our website at www.co811.org.

For your convenience, a copy of the Colorado state One-Call Law is printed in the back of the handbook. Contents of this handbook and the applicable Colorado state statutes are subject to change without notice. The original handbook was written in January of 1995, and the latest revision is effective August of 2022.

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Colorado 811 Contact Information

One-Call Number	811 800-922-1987
Website	www.co811.org
Administrative Number	303-232-1991
Fax	303-234-1712
Accounting Department	accounting@co811.org
Contact Center Department	supervisors@co811.org
Marketing/Communication Department	communications@co811.org
Damage Prevention Department	dp@co811.org
GIS Department	gis@co811.org
Human Resource Department	hr@co811.org
IT Department	it-dept@co811.org
Member Relations Department	member-services@co811.org
Online Services Department	onlineservices@co811.org

To submit a notification either go online or contact:

- 811
- 800-922-1987
- Online – iDig811
- Online – Web Ticket Entry
- Online – Update Lite

The Federal Communications Commission approved the use of 811 as a national call-before-you-dig telephone number. Based on your location when dialing 811, you will be connected to that state's contact center. For example, if you are calling from Fort Collins, CO, you will be connected with Colorado 811. If you are making the call in Albuquerque, New Mexico, you will be connected to the New Mexico contact center.



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Do I have to contact Colorado 811 before I excavate?

Yes, Colorado 811 must be notified prior to excavation.

Excavation “means any operation in which earth is moved or removed using any tools, equipment, or explosives and includes auguring, backfilling, boring, ditching, drilling, grading, plowing-in, pulling-in, ripping, scraping, trenching, hydro-excavating, post-holing, and tunneling.” (C.R.S. § 9-1.5-102(3)2021)

Once I contact 811, what happens?

Colorado 811 will collect information about your notification and map the proposed excavation area based upon the provided description and marking instructions. The information will be transmitted to the facility owner/operator members based on our mapping database. The transmission will notify registered facility owner/operator members to locate and communicate information about their facilities.

- Submit locate request
- Wait 2 full business days, not including the day of submission
- Review Positive Responses and confirm markings
- Submit Excavator Re-notification for missing/incomplete locates & Positive Responses
- Wait for marks, or if unable, proceed with excavation using due caution and care

If I am a subcontractor, is it necessary to obtain my own ticket?

Yes. To ensure that excavators and their crews are protected and to ensure underground facilities are kept intact, each individual company excavating must process a ticket describing the specific location and description of their planned excavation. The only exception is when an excavator employs a secondary excavator for exposing marked facilities only. Should damage occur, a ticket in the excavator's name helps show they provided proper advanced notice of excavation.

There is a damaged or unintentionally exposed facility; what do I do?

If a facility has been hit and a potentially dangerous situation exists (i.e., damaged gas line, etc.) evacuate the area, make sure everyone at risk of injury is safe and contact 911 immediately. For any damage or unintentionally exposed facility, provide notice to Colorado 811 and then immediately notify the affected facility owner(s)/operator(s).



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SECTION I: DETERMINING WHOM AND WHEN TO CONTACT

Colorado 811 is a non-profit and non-governmental organization funded by its facility owner/operator members. Its purpose is to act as a communication link between excavators and underground facility owner(s)/operator(s). Colorado 811 is the statewide notification association for the state of Colorado only.

Colorado 811 is a communication link and does not locate any facilities.

Colorado revised statutes require that anyone who engages in any type of excavation must provide advance notice to the underground facility owner(s)/operator(s). The notice must be provided by the excavator at least two (2) full business days prior to any excavation, not including the day of notification. A precise definition of “excavation” is included in the state law. Facility owner(s)/operator(s), not Colorado 811, should be contacted directly for the following issues:

- Billing questions or problems
- Services discontinued or relocated
- Changes in utility services
- Facility owner outages/service interruptions

Colorado 811 is available 24 hours a day, 365 days a year, for emergency and damage notification.

Colorado 811’s self-service options are available 24/7 at www.co811.org. Please note any non-emergency/damage tickets processed outside of Monday through Friday, 7:00 a.m. to 5:00 p.m., will extend the Locate-By-Date one (1) full business day. To process Normal Tickets by phone, contact must be made to Colorado 811, Monday through Friday, 7:00 a.m. to 5:00 p.m., excluding holidays.

The holidays observed at Colorado 811 are:

- | | |
|--------------------------|---------------------|
| • New Year’s Day | • Inauguration Day* |
| • Martin Luther King Day | • President’s Day |
| • Memorial Day | • Juneteenth |
| • Independence Day | • Labor Day |
| • Columbus Day | • Veteran’s Day |
| • Thanksgiving Day | • Christmas Day |

*On inauguration years



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Note: Holidays that occur on Saturday are recognized on the Friday before. Holidays that occur on Sunday are recognized on the Monday after. The observation of federal holidays will add an additional business day to the Locate-By-Date (due date).

Private Facilities

There may be private facilities within your dig area. Private facilities are owned and maintained by the property owner and will not be located by contacting 811. It is the property owner or excavator’s responsibility to have private facilities located at their expense. Please visit <https://www.colorado811.org/private-locate-companies/> for private locate companies by region in Colorado. Please note that this is not an inclusive list of all private locate companies in the state.

**SECTION II: TYPES OF TICKETS
PROCESSED BY COLORADO 811**

Normal Ticket

A Normal Ticket is a processed notification for excavation at least two (2) full business days in advance, not including the day of notification. Facility owner/operator members must respond by the end of the second full business day. (The end of the day is considered 11:59 PM.)

Excavators are encouraged to use Multiple Day Tickets when submitting a notification which exceeds 1000 linear feet in a highly populated area.

Recommended Facility Owner/Operator Member Response:

By the end of the second full business day not including the day of the notification, or as otherwise agreed upon by both excavator and facility owner/operator member, facility owner(s) shall advise the excavator of the location, number, and size of any underground facilities in the proposed excavation area, including laterals in the public right-of-way by marking the location of the facilities with clearly identifiable markings within eighteen inches horizontally from the exterior sides of the facilities and/or posting communication through Colorado 811’s Positive Response. The facility owner/operator members shall honor each due date when the excavator has submitted Multiple Day Tickets.

Emergency Ticket

An Emergency Ticket is processed when immediate excavation is necessary to prevent the loss of life, damage to property, or damage to underground facilities, making advance notice for the proposed excavation impractical under the circumstances. The notifier must give Colorado 811 the type of emergency and if



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there are any safety hazards on site (example gas blowing, high vehicle traffic area).

Emergency Tickets are prioritized ahead of all other types of tickets, and facility owner/operator members will respond as soon as practicable. Should the facility owner/operator members fail to respond as outlined in the “Recommended Facility Owner/Operator Member Response” (see below), the excavator should determine which facility owner/operator members need to respond and submit an Excavator Re-Notification.

A representative must be at the excavation site within the applicable time frame as stated in the “Recommended Facility Owner/Operator Member Response” (see below).

Emergency notifications may be processed 24 hours a day, 7 days a week.

Recommended Facility Owner/Operator Member Response:

Facility owner/operator members should respond to all business-hour emergencies within one (1) hour.

Business hours are 7:00 a.m. to 5:00 p.m., Monday–Friday.

Facility owner/operator members should respond to all after-hours emergencies within a two (2) hour time frame.

A facility owner/operator member who is unable to meet the recommended response time should contact the excavator and provide an estimated time of arrival.

Damage Ticket

A Damage Ticket is processed when any underground facility has been damaged or any unknown and/or unmarked facility has been unintentionally exposed. After submitting notice of damage to Colorado 811 the notifier shall contact the affected facility owner(s)/ operator(s) directly. Should the facility owner/operator members fail to respond, the notifier should submit an Excavator Re-Notification and contact the facility owner/operator members directly.

A Damage Ticket may also be processed when a non-excavator reports a damaged or exposed facility.

If a gas line is damaged and gas is released evacuate the area immediately and call 911; after 911 call 811 and the facility owner/operator member to report the damage.

A Damage Ticket, like an Emergency Ticket, is prioritized ahead of all other types of tickets, and facility owner/operator members shall respond as soon as practicable.



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Locates will not be performed for Damage Tickets. Should additional markings be required to continue excavation or repair damage, the excavator or facility owner/operator shall request one of the other ticket types as appropriate.

Any type of scrape, nick, cut, tear, break, or dent, to underground facilities, including any protective coating, should be reported to Colorado 811 and the facility owner(s)/operator(s) immediately. If not promptly repaired, it could result in a future leak, service outage, explosion, accident, injury, and/or death.

Note: Any damage to a tracer wire is also a damage and should be reported to Colorado 811 and the facility owner/operator immediately.

Recommended Facility Owner Response:

Facility owner/operator members should respond to Damage Tickets during business hours within one (1) hour.

Facility owner/operator members should respond to all Damage Tickets after hours within a two (2) hour time frame.

Damage Tickets may be processed 24 hours a day, 7 days a week.

Non-Compliance Ticket

A Non-Compliance Ticket is processed when an excavator is requesting facility owner/operator members to respond to a notification prior to two (2) full business days, not including the day of notification.

A Non-Compliance Ticket may be appropriate in certain situations:

- Emergency where crew will not be on-site in the recommended time
- Job moved up by project owner
- Weather
- Technical difficulty getting Normal Ticket in on time

There is no guarantee that a Non-Compliance Ticket will be completed in less than the required two (2) full business days, not including the day of the notification. It is recommended that the excavator contact each facility owner/operator member to confirm whether the locate can be completed prior to the Locate-By-Date. Verify all Positive Responses before proceeding with your excavation.

Meets cannot be scheduled or requested on Non-Compliance Tickets.



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Recommended Facility Type/Operator Response:

Each facility owner/operator member should make every attempt to accommodate all Non-Compliance Tickets prior to the requested date on the ticket.

Excavator Re-Notification

An Excavator Re-Notification is a ticket that is retransmitted to the appropriate facility owner/operator members when an original ticket has not been completed in its entirety and/or Positive Response has not been communicated by the end of the two full business days not including the day of the notification or other time as agreed upon by the excavator and the facility owner/operator member.

For an Excavator Re-Notification to be retransmitted, the following criteria shall exist (otherwise, a new ticket must be processed):

- The original ticket number has been provided
- The notice is made no more than five (5) business days after the original Locate-By-Date
- Positive Response was verified
- One or more of the following circumstances exists:
 - Incomplete markings
 - No markings
 - The facility owner/operator member did not post a Positive Response
 - There is a discrepancy in posted Positive Response
 - The facility is not found within the tolerance zone of the marks
 - An incorrect address/area was located
 - The facility owner/operator members did not show up for a Scheduled Meet Appointment

Which specific facility owner/operator members need re-notified must be communicated in addition to reason for the Excavator Re-Notification.

- Only the facility owner/operator members specified will be re-notified
- If it is unknown which facility owner/ operator, then notification by facility type(s) will occur
- The marking instructions must NOT deviate from the originally described area
- Any change in ticket information, other than Excavator Re-Notification information, requires that a new ticket be processed

Note: The excavator can begin excavation immediately after submitting an Excavator Re-Notification using reasonable care.



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Recommended Facility Owner/Operator Member Response:

Facility owner/operator members should respond as soon as practicable (as opposed to the normal two (2) full business days, not including the day of the notification).

Relocate/Refresh Ticket

A Relocate/Refresh Ticket is retransmitted to the appropriate facility owner/operator members when an original ticket has been completed in its entirety and/or a Positive Response has been communicated, but the original markings are no longer visible.

For a Relocate/Refresh Ticket to be retransmitted, the following criteria shall exist (otherwise, a new request must be processed):

- The original ticket number has been provided
- The notice is made no more than five (5) business days after the original notification
- Positive Response has been verified
- The original markings are no longer visible

Which specific facility owner/operator members need to relocate/refresh marks must be provided.

- Only facility owner(s)/operator(s) specified by the excavator will be re-notified.
- The marking instructions must **NOT** deviate from the originally described area.
- Any change in ticket information other than Relocate/Refresh information requires that a new ticket be processed.

Recommended Facility Owner/Operator Member Response:

Facility owner/operator members should respond to the request as soon as practicable (as opposed to the normal two (2) full business days, not including the day of the notification).

Meet Tickets

Meets are intended to help excavators provide better information to facility owner/operator members for difficult marking instructions, obtaining access to the site, etc. No locates will be provided in areas outside of the described excavation area on the ticket. It is not recommended to use a Meet Ticket in lieu of providing accurate marking instructions.

Scheduled meet: Specific dates and times provided by the facility owner/operator members which are filled by Colorado 811. (Very few facility owner/operator members offer this)



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- Meet time is for the scheduled member only
- Offered at specific times and in specific geographic location on a first come, first served basis
- A specific meeting location must be provided on the ticket
- If the scheduled member is late, contact scheduled member immediately
- If the scheduled member is 15 minutes late without contact, submit an Excavator Re-Notification to them
- If the excavator misses their scheduled meet, they may need to submit a new ticket
- Facility owner/operator members have until 11:59pm on the Locate-By-Date to mark their underground facilities

Note: All other facility owner/operator members will either meet at the same time, contact to make other arrangements, or will complete the locate by the end of the scheduled day.

Requested meet: For facility owner/operators who do not offer a specific date or time to meet.

- Requested Meets are not guaranteed
- A specific meeting date, time, and location must be provided on the ticket, which cannot occur before the original Locate-By-Date
- The requested time should be between normal business hours (Monday-Friday, 7am -5pm)
- Facility owner/operator members have until 11:59 pm on the due date to mark their underground facilities
- If the excavator misses their requested meet, they may need to submit a new ticket

Recommended Facility Owner/Operator Member Response:

In the event that the facility owner/operator members cannot identify the excavator at the requested meet time and location, the facility owner/operator members should immediately contact the excavator to confirm the estimated time of arrival and establish an agreed-upon meet time or reschedule through Colorado 811.

Identify and mark all known facilities within the area of excavation on or before the end of the Locate-By-Date, or make other arrangements as agreed upon by both excavator and facility owner/operator member.

Facility owner/operator members should coordinate with excavators who have processed multiple tickets for the same meet time and area.

Cancel Ticket

A Cancel Ticket is used to terminate an existing ticket prior to or



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on the Locate-By-Date.

A Cancel Ticket is appropriate in the following situations:

- Excavation is no longer required
- Weather prohibits work from being performed
- Pertinent information on the original ticket requires modification; this circumstance requires a new ticket to be processed

A ticket cannot be canceled after the Locate-By-Date has passed.

A ticket can only be canceled by the company or person who is listed on the ticket.

Engineering Ticket

An Engineering Ticket is processed for designing excavation which requires general information as to the description and location of existing underground facilities in the proposed excavation area. Engineering Tickets are never to be used for excavation activities. (Note: Some facility owner/operator members may charge for this service.)

Recommended Member Facility Owner/Operator Response:

Provide available information to the architect, engineer, or other persons designing excavation within ten business days not to include the day of the request.

Note: An Engineering Ticket is never to be used for any excavation activities, either now or in the future. It is a request to obtain available information as to the description, nature and location of underground facilities for planning, design or engineering purposes only.

Subsurface Utility Engineering Ticket

A Subsurface Utility Engineering (SUE) Ticket is processed for projects that include the investigation and depiction of existing underground facilities that meet or exceed the ASCE 38 standard.

A SUE required project meets ALL the following conditions:

- Require the design services of a licensed professional engineer
- The project involves a construction contract with a public entity
- The project involves primarily horizontal construction and does not involve primarily the construction of buildings
- The project has an anticipated excavation footprint that exceeds two feet in depth, is a contiguous one thousand



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square feet **OR** involves utility boring

Note: Engineering tickets may be processed for engineering/design projects that do not meet all of the above conditions.

Recommended Facility Owner/Operator Member Response:

A facility owner/operator member should provide records, marks, and available information to the architect, engineer, or other person designing the installation of underground facilities and/or excavation within ten business days.

Note: A SUE Ticket is never to be used for any excavation activities, either now or in the future. It is a request to obtain available information as to the description, nature and location of underground facilities for planning, design or engineering purposes only.



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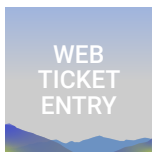
Colorado 811 Self Services



Positive Response is recommended for:

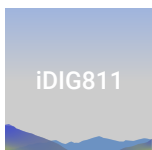
- For homeowner and professional excavators
- View facility owner/operator members responses with attachments

Please refer to (Positive Response) for further information



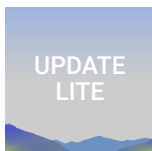
Web Ticket Entry is strongly recommended for:

- All professional excavators to process their own tickets
- Benefits include:
 - The most efficient customer experience
 - Most convenient free self-service platform to submit tickets
 - Available 24 hours a day/ 7 days a week
 - Avoid potential hold times and delays
 - Set your own appointment times
 - Submit ticket attachments to improve communication
 - Full mapping capabilities
 - Manage your tickets
 - All ticket types can be processed (Excluding SUE, Emergency and Damage notifications)



iDig811 is recommended for:

- Homeowners and professional excavators
- Single address locates within property bounds
- Available 24 hours a day/7 days a week
- Tickets are released directly to facility owner/operator members
- No training required



Update Lite is recommended for:

- Homeowners and professional excavators
- For existing tickets processed within the last 30 calendar days
- Cancel an existing ticket before the Locate-By-Date

Note: No edits to information may be made.

Note: Not recommended for Multi Day or Multi Tickets.



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SECTION III: PREPARING TO CONTACT COLORADO 811

PREPARATION IS THE KEY TO A SUCCESSFUL LOCATE REQUEST

Have the following information prepared prior to processing a ticket.

Primary Phone Number, Notifier Name, and Company Name

This information is required to process the ticket and may be beneficial if you need to be contacted.

Start Date and Duration of Excavation

The expected day excavation will begin and how long the excavation is expected to take place.

E-mail Address

Providing an e-mail address is necessary to receive ticket information directly.

Mailing Address

The mailing address of the person or company notifying Colorado 811 is provided to the facility owner/operator members.

Alternate Contact and Phone Number

This is an alternative number to reach the person making the notification or an additional contact. If the person in charge of the work is different than the notifier, an alternate contact should be listed, and they should be available to answer the phone to provide additional information (on-site person). Tickets can often be expedited when the person with specific information related to the excavation can be reached directly.

Please visit the My Membership page of our website to view our Privacy Policy linked at the bottom of the page.

Secondary Excavator

When provided during notification, the secondary excavator is included for excavation to expose marked facilities only (e.g., potholing). We can accept the Company Name, Contact Name,



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Phone Number and Email for the secondary excavator. To perform any other excavation, the secondary excavator must first submit their own notification.

Work to be Completed For

This is the entity for which the work is being done (e.g., company or homeowner name).

Work Type

This is the type of work to be performed. All stakeholders need to know the specific reason for the excavation work. For example, “New sewer main or service” is much more helpful than “Digging for a sewer line.”

Explosives

Gas safety rules require gas facility owners/operators to perform leakage surveys in the vicinity of any excavation where blasting has been performed.

Directional Boring

This indicates the use of directional boring/drilling technology.

County/City/Place

The county and city/place of the excavation area is needed to identify where the job site is located. This information is used to identify which facility owner/operator members will be notified. Colorado 811 processes tickets for all counties in the state of Colorado. Work outside of Colorado should be referred directly to the facility owner(s)/operator(s) or the contact center responsible for that state.

Address/Street

This is the address of the excavation area. To ensure that the information received is recognizable for all underground facility owner/operator members there are certain internal requirements for identifying the location of the excavation area. The best information is a street address. If a street address is not available, provide the following information:

- Name of the street
- Name of the nearest intersecting street
- Approximate distance between the intersection and the excavation area

Note: Please be sure the address is posted. If Colorado 811 is unable to verify the distance between the address/ excavation area and the nearest intersecting street, mapping of the ticket may not be completed, and your ticket may be delayed.

Nearest Intersecting Street and/or Intersection

This is the intersecting street closest to the address. When an



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address is not available, provide the closest intersection to the excavation area.

Note: If closest intersection is not in the database, directions should start from the closest intersection that is in the database (include direction).

Marking Instructions

Each notification will require the excavator to provide a detailed description of the proposed excavation area.

A detailed description may include the following:

- A starting address or intersection
- Distance, direction, side, and/or size of the excavation area
 - Distance must be provided in either feet, yards, or miles
 - Cardinal direction must be used in place of right and left
 - Examples:
 - Locate 100 foot radius of tree
 - Locate west side of lot
 - Locate east side of road

To improve communication, include:

- Pre-marked excavation area in white paint (highly recommended)
- File Attachments
 - Digital/hand drawn sketch
 - Photo(s)
 - Maps
- GPS coordinates
- Public Land Survey System (PLSS) Grids
 - Township, Range, Section, and/or Quarter Section
- Mile Markers
- Well site information

Note: If the excavation site involves multiple areas, additional tickets may be required to ensure that all facility owner(s)/operator(s) are notified.

It is the excavator's responsibility to ensure that access is available to the excavation site.

Note: Whenever possible, it is suggested that the proposed site be pre-marked with white. This will provide locators with an accurate picture of the proposed excavation area.

If calling, damage prevention professionals may ask for driving instructions to assist in mapping the described excavation area. These may also assist locators with finding the excavation area.



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SECTION IV: WHAT HAPPENS AFTER NOTIFICATION IS MADE

After all information is verified, a ticket will be processed. An email confirmation will provide a ticket number in addition to a list of facility owner/operator members who will receive the ticket. Private/unregistered facilities may be present at the excavation area. If you are aware of any underground facility owner(s)/operator(s) in the excavation area not included on your ticket, contact them directly and refer them to Colorado 811's Member Relations Department. It is very important to keep adequate and accurate documentation, location information and maintain markings throughout the excavation period.

COLOR CODE

For Marking Underground Utility Lines

-  Proposed Excavation
-  Temporary Survey Markings
-  Electric
-  Gas, Oil, Steam
-  Communication, CATV
-  Potable Water
-  Irrigation, Reclaimed Water, Slurry Lines
-  Sewer



Always contact 811 before you dig.
(800) 922-1987 www.co811.org

Tolerance zone: width of underground facility plus 18" on each side



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SECTION V: RESPONSIBILITIES OF THE FACILITY OWNER/ OPERATOR AFTER RECEIVING THE NOTIFICATION

Upon receipt of the ticket, each notified member determines his/her responsibility for locating the facility. The facility owner/operator members, or a representative hired by the facility owner/operator members, will respond by clearly marking their underground facilities or providing positive response that the excavation area is “clear, no conflict”. The facility owner/operator members will post a response and/or any required supporting documentation through Colorado 811’s Positive Response System. Underground facility owners must mark their facilities using the APWA-approved color code.

Locators should use paint, flags, whiskers, stakes, or other suitable materials to mark their facilities. A combination of marking methods can be used. The types of methods used may depend upon the type of surface to be marked. The marks should clearly identify the routes of the facility and be within eighteen inches horizontally from the exterior sides of the facilities.

In addition to marking the location, number, size, and type of facilities, the locator must provide documentation as attachments with their Positive Response; a digital or hand-drawn sketch and/or photographs that include easily identifiable landmarks are fitting.

Note: For more marking information, visit https://ops.colorado.gov/sites/ops/files/documents/BestPracticeLocatingMarking_0.pdf.

IMPORTANT: Underground facility owners/operators are required to locate the facilities they own/operate including laterals within the public right-of-way. The marking of customer-owned laterals in the public right-of-way is for informational purposes only, and an owner or operator is not liable to any party for damages or injuries resulting from damage done to customer-owned laterals.

Legislation requires one-call participation of all underground facilities owner(s)/operator(s) that are in or near a public



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road, street, alley, right-of-way, or easement. A disclaimer is provided with every ticket, advising the notifying party to contact any other facilities not already mentioned. There may be facility owner(s)/operator(s) in Colorado who do not comply with the law and are unknown to Colorado 811. Every effort is made by Colorado 811 to promote membership. If there is evidence an underground facility is not owned by any of the registered facility owner(s)/operator(s) listed on the ticket, it is the excavator's responsibility to make every effort possible to contact the owner(s)/operator(s) of the unregistered facility. Contacting the landowner is the recommended initial step to obtain information.

For a list of companies in your area that provide private locates, visit <https://www.colorado811.org/private-locate-companies/>.

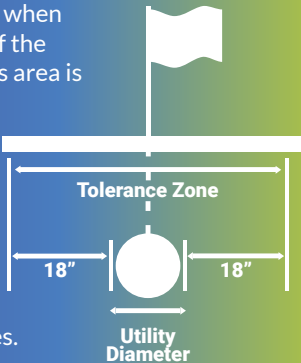
SECTION VI: RESPONSIBILITIES OF THE EXCAVATOR AFTER MAKING THE NOTIFICATION

Notifying Colorado 811 is the first step in obtaining a locate of underground facilities. Colorado 811 is strictly a messaging center and **DOES NOT PERFORM LOCATES FOR ANY FACILITY OWNER(S)/ OPERATOR(S)**.

It is the excavator's responsibility to ensure that access is available to the excavation site.

Tolerance Zone

Colorado law requires you to use reasonable care when digging within 18" of the marked utilities. This area is known as the tolerance zone and hand digging is required. Always use caution when digging near underground utilities.



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After the Locate-By-Date, verify the positive responses of all listed facility owner/operator members (excluding Test Codes) and compare their provided attachments against the excavation area. The underground facility should be within 18" of each side of the locate marks; if the size is provided, half the size is added to the 18" from the marks. Use non-destructive means to excavate within the tolerance zone (e.g., hand digging, vacuum excavation). Power-operated equipment can damage underground facilities by its weight and other characteristics.

During excavation, if any facility is damaged or an unmarked facility is exposed, the excavator should cease digging and notify Colorado 811 and the facility owner(s)/operator(s) immediately to process a Damage Ticket. If the excavator is aware that a facility has not been marked or inaccurately marked, they must submit an Excavator Re-notification before proceeding with their excavation. If an unmarked underground facility owner can't be identified, notify a Colorado 811 Damage Prevention Liaison.

Locate marks are only valid for thirty (30) days from the ticket's due date or until no longer visible, whichever comes first. If an excavation has not been completed within the applicable period, the excavator shall notify Colorado 811 at least two (2) business days, not including the day of actual notice, before the end of the applicable period to update the ticket. A new ticket must be processed after this time has expired.

SECTION VII: RECOGNIZING AND RESPONDING TO EMERGENCIES INVOLVING DAMAGED FACILITIES

Emergency situations include leaks, ruptures, explosions, fires, severe settling or soil movement, weakened or damaged facilities, and similar instances in which immediate action is necessary to prevent loss of life, injury to persons, or property damage. The following actions should be taken in response to various emergency/damage situations involving underground facilities:

Natural Gas

1. Avoid any open flames or anything that might start a fire. Do not start motor vehicles or electrical equipment. Remove ignition sources (cigarettes, cell phones, and anything that could create a spark or static electricity).
2. Evacuate and secure the area.
3. Abandon any equipment being used in the area.
4. Contact 911 or your local fire, police, or sheriff's office.
5. Do not try to put out a fire. If it is burning, let it burn; ask local fire fighters to observe and protect adjacent property.



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6. Do not operate any pipeline valves yourself.
7. Never bury a broken or damaged line.
8. Contact Colorado 811 and the facility owner(s)/operator(s).

Petroleum

1. Leave the leak area immediately. Warn others, if necessary.
2. Do not make contact with escaping liquids and vapors.
3. Avoid creating sparks or sources of heat that could cause the vapors or liquids to ignite. Do not light a match, start an engine, use a telephone, or even switch on/off an electric light.
4. Turn off any running machinery (engines).
5. If you come upon a leak or vapor cloud while in an automobile, do not drive into the area.
6. Notify 911 or your local fire, police, or sheriff's office. Provide them with your name, phone number, a description of the leak, and its location.
7. Notify Colorado 811 and the facility owner(s)/operator(s).

Electricity

1. Move equipment only if you can do so safely.
2. If there isn't another immediate threat (fire for example), stay on the equipment/machine until rescue workers arrive; keep others away. If you must exit, try to jump away from the machinery, landing with legs together and knees slightly bent (a.k.a. bunny hop).
3. If a buried electrical line is struck in wet soil/conditions, the ground may become energized for a large area around strike.
4. Notify 911, then Colorado 811 and the facility owner(s)/operator(s).

Water/Sewer

1. Do not close any valves to stop flooding. (Closing the wrong valve(s) may affect the fire protection flows and/or possibly contaminate potable water systems.)
2. If the water leak is from a sewer line or septic line, or system, do not come in contact with the water. This could be a health risk.
3. Be careful of high-pressure water. Sometimes the slightest scratch or vibration can create a hazardous condition.
4. Water can rapidly fill a trench or hole, making a quick exit impossible.
5. Be mindful of soil conditions when moving in trench areas and bottoms (e.g. wet walls and standing water at bottom).
6. Sewer gas can be highly flammable and can be easily ignited.
7. Call Colorado 811 and the facility owner(s)/operator(s).

Fiber Communication

1. Avoid eye damage; do not look into the end of a severed fiber-optic facility.



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2. Call Colorado 811 and the facility owner(s)/operator(s).

Any type of scrape, nick, cut, tear, break, or dent, to underground facilities, including any protective coating, should be reported to Colorado 811 and the facility owner(s)/operator(s) immediately. If not promptly repaired, it could result in a future leak, service outage, explosion, accident, injury, and/or death.

Note: Any damage to a tracer wire is a damage and should be reported to Colorado 811 and the facility owner/operator immediately.

SECTION VIII: ADDITIONAL INFORMATION

Ticket Corrections

If a stakeholder has discovered that incorrect information was processed, Colorado 811 should be notified as soon as possible. Depending on the circumstances, a new ticket may be processed to accommodate necessary corrections.

Note: A subcontractor may not change information on a ticket processed by the general contractor.

Failure to Locate Facilities by the Locate-By-Date

If a Positive Response has not been provided by the facility owner/operator members by the Locate-Dy-Date, state law requires that the excavator submit an Excavator Re-Notification before proceeding with excavation.



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WHEN CAN I DIG?

State law defines the process to request locates of underground facilities for any project that involves digging. Whether you're digging as part of a home improvement project or commercial construction, these are the steps to take before you dig.

Submit locate request to 811

Wait 2-full business days,
not including the day
of the submission



Review Positive
Response notifications
in your email inbox
and/or at CO811.org



Confirm all markings are
complete and as requested.
Excavator's responsibility
under State law

Are all locates completed as requested and on time?

NO

YES

Use Web Ticket Entry or call 811
to process **Excavator Re-notification**

Member facility owner/operators are
required to respond **As Soon As Practicable**

Review Positive
Response notifications
in your email inbox
and/or at CO811.org



Confirm all markings are
complete and as requested.
Excavator's responsibility
under State law



Are all locates completed
as requested?

NO

YES

If locates are not completed
after the renotification
process, **state law allows**

State law allows
you to proceed

Dig with care

Additional Remedies

When trying to get locates completed:

- Direct communication with member facility owner/operator(s) and/or locators is allowed
- Contact a Colorado 811 Damage Prevention Liaison for assistance

If damage occurs:

- Report Damage to Colorado 811
- Report Damage to Facility owner/operator
- Alternative Dispute Resolution

Noncompliance:

- Complaint process through Underground Damage Prevention Safety Commission (new option under state law)

Common Terms

The following are definitions of some of the terms that can be used to help describe the area to be marked:

- **Center Lane(s)**—In a four-lane street, the two lanes at the center of the pavement.
- **Cul-de-sac**—A local street open at one end with a special provision for turning around.
- **Culvert**—Any pipe or structure under a roadway/driveway or natural drainage to facilitate the drainage of surface water or convey irrigation water.
- **Curb lane(s)**—Traffic or parking lane immediately adjacent to the curb.
- **Curb to Curb**—The paved area of a road right-of-way between the two curb lines.
- **Curb to Property Line (P/L)** —The area between the curb and the front property line including terrace and/or sidewalk.
- **Curb Line**—The point where the curb meets the edge of the street pavement.
- **Easement**—The right to use or control the property of another for designated purposes.
- **Ditch Flow Line**—The line running the length of the bottom of a ditch so that water entering the ditch runs first to the line and thereafter down the line.
- **Frontage Road**—A local street or road auxiliary to and located on the side of an arterial highway for service to abutting property and adjacent areas and for control of access.
- **Front Lot Line**—(Same as street right-of-way line) The property line adjacent to the street right-of-way.
- **Highway (HWY)**—A public way for purpose of vehicular travel, including the entire area within the highway right-of-way.
- **Intersection (Intersect)**—The general area where two or more highways join or cross, including the roadway and roadside facilities for traffic movements in that area.
- **Interchange**—A system of interconnecting roadways in conjunction with one or more roadways on different levels.
- **Property Line (P/L)**—The legal limits of an individual's property.
- **Property Line to Property Line (P/L)**—The area between the two side lot lines on the private property of the entire road right-of-way.
- **Median**—An area dividing two different directions of traffic.
- **Parkway (PKWY)**—The area between the edge of the pavement and the sidewalk or property line if no sidewalk exists.
- **Right-of-Way (R/O/W)**—The legal right, established by usage or grant, to pass along a specific route through grounds or property belonging to another (usually the



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roadway along with an adjacent area, and can also include walking paths and alleys).

- **Roadway**—The portion of a highway, including the shoulder for vehicular use.
- **Shoulder**—The edge of a road (generally gravel) between the normal traffic lanes and grass areas. It is the term normally used in areas where there is no curb.
- **Street (St)**—Highway in an urban area.

SECTION IX: LEGISLATION

Colorado Revised Statutes 2021

TITLE 9

SAFETY - INDUSTRIAL AND COMMERCIAL

ARTICLE 1.5

Excavation Requirements

9-1.5-101. Legislative declaration. The purpose of this article is to prevent injury to persons and damage to property from accidents resulting from damage to underground facilities by excavation. This purpose shall be facilitated through the creation of a single statewide notification system to be administered by an association of the owners and operators of underground facilities. Through the association, excavators shall be able to obtain crucial information regarding the location of underground facilities prior to excavating and shall thereby be able to greatly reduce the likelihood of damage to any such underground facility or injury to any person working at an excavation site.

Source: L. 81: Entire article added, p. 520, § 1, effective October 1. **L. 93:** Entire article amended, p. 498, § 1, effective September 1.

9-1.5-102. Definitions. As used in this article 1.5, unless the context otherwise requires:

(1) “ASCE 38” means the standard for defining the quality of an underground facility location as defined in the current edition of the American Society of Civil Engineers’ “Standard Guideline for the Collection and Depiction of Existing Subsurface Utility Data (CI/ASCE 38-02)” or an analogous successor standard as determined by the safety commission.

(1.5) “Damage” includes the penetration or destruction of any protective coating, housing, or other protective device of an underground facility, the denting or partial or complete severance of an underground facility, or the rendering of any underground facility inaccessible.

(2) “Emergency situations” includes ruptures and leakage of pipelines, explosions, fires, and similar instances where immediate action is necessary to prevent loss of life or



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significant damage to property, including, without limitation, underground facilities, and advance notice of proposed excavation is impracticable under the circumstances.

(3) "Excavation" means any operation in which earth is moved or removed by means of any tools, equipment, or explosives and includes augering, backfilling, boring, ditching, drilling, grading, plowing-in, pulling-in, ripping, scraping, trenching, hydro excavating, postholing, and tunneling. "Excavation" does not include:

(a) Routine maintenance on existing planted landscapes; or

(b) An excavation by a rancher or a farmer, as defined in section 42-20-108.5, occurring on a ranch or farm when the excavation involves:

(I) Any form of existing agricultural activity that is routine for that ranch or farm;

(II) Land clearing if the activity does not involve deep ripping or deep root removal of trees or shrubs; or

(III) Routine maintenance of:

(A) An existing irrigation facility if the facility has been subjected to maintenance in the previous twenty-four months; or

(B) Existing fence lines.

(3.4) "Gravity-fed system" means any underground facility that is not pressurized and that utilizes gravity as the only means to transport its contents. These systems include sanitary sewer lines, storm sewer lines, and open-air irrigation ditches.

(3.7) "Licensed professional engineer" means a professional engineer as defined in section 12-120-202 (7).

(4) "Notification association" or "association" means the statewide notification association of owners and operators of underground facilities created in section 9-1.5-105.

(5) (a) "Operator" or "owner" means any person, including public utilities, municipal corporations, political subdivisions, or other persons having the right to bury underground facilities in or near a public road, street, alley, right-of-way, or utility easement.

(b) "Operator" or "owner" does not include any railroad.

(6) "Person" means any individual acting on his or her own behalf, sole proprietor, partnership, association, corporation, or joint venture; the state, any political subdivision of the state, or any instrumentality or agency of either; or the legal representative of any of them.

(6.5) "Routine maintenance" means a regular activity that happens at least once per year on an existing planted landscape if earth is not disturbed at a depth of more than twelve inches by nonmechanical means or four inches by mechanical means and if the activities are not intended to permanently lessen the ground cover or lower the existing ground contours. Mechanical equipment used for routine



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maintenance tasks shall be defined as aerators, hand-held rototillers, soil injection needles, lawn edgers, overseeders, and hand tools.

(6.7) "Subsurface utility engineering notification" means a notice to the notification association that a project is being designed by a licensed professional engineer and that the project will include the investigation and depiction of existing underground facilities that meet or exceed the ASCE 38 standard.

(6.8) "Subsurface utility engineering-required project" means a project that meets all of the following conditions:

(a) The project involves a construction contract with a public entity, as that term is defined in section 24-91-102;

(b) The project involves primarily horizontal construction and does not involve primarily the construction of buildings;

(c) (I) The project:

(A) Has an anticipated excavation footprint that exceeds two feet in depth and that is a contiguous one thousand square feet; or

(B) Involves utility boring.

(II) For purposes of this subsection (6.8)(c), the term "two feet in depth" does not include rotomilling, and the contiguous one thousand square feet does not include fencing and signing projects.

(d) The project requires the design services of a licensed professional engineer.

(6.9) "Underground damage prevention safety commission" or "safety commission" means the enforcement authority established in section 9-1.5-104.2.

(7) "Underground facility" means any item of personal property which is buried or placed below ground for use in connection with the storage or conveyance of water or sewage, electronic, telephonic, or telegraphic communications or cable television, electric energy, or oil, gas, or other substances. "Item of personal property", as used in this subsection (7), includes, but is not limited to, pipes, sewers, conduits, cables, valves, lines, wires, manholes, and attachments thereto.

Source: L. 81: Entire article added, p. 520, § 1, effective October 1. L. 93: Entire article amended, p. 498, § 1, effective September 1. L. 2000: (3) and (6) amended, p. 685, § 1, effective May 23. L. 2009: (2) and (3) amended and (6.5) added, (HB 09-1092), ch. 38, p. 151, § 1, effective August 5. L. 2018: IP, (1), and (3) amended and (1.5), (3.4), (3.7), and (6.7) to (6.9) added, (SB 18-167), ch. 256, p. 1561, § 1, effective August 8. L. 2019: (3.7) amended, (HB 19-1172), ch. 136, p. 1650, § 27, effective October 1.

9-1.5-103. Plans and specifications - notice of excavation - duties of excavators - duties of owners and



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operators - fee - definition.

(1) (Deleted by amendment, L. 93, p. 499, § 1, effective September 1, 1993.)

(2) Architects, engineers, or other persons designing excavation shall obtain general information as to the description, nature, and location of underground facilities in the area of such proposed excavation and include such general information in the plans or specifications to inform an excavation contractor of the existence of such facilities and of the need to obtain information thereon pursuant to subsection (3) of this section.

(2.4) At the project owner's expense, a licensed professional engineer designing for a subsurface utility engineering-required project shall:

(a) Notify the notification association with a subsurface utility engineering notification;

(b) Either:

(I) Meet or exceed the ASCE 38 standard for defining the underground facility location in the stamped plans for all underground facilities within the proposed excavation area; or

(II) Document the reasons why any underground facilities depicted in the stamped plans do not meet or exceed ASCE 38 utility quality level B or its successor utility quality level;

(c) Attempt to achieve ASCE 38 utility quality level B or its successor utility quality level on all utilities within the proposed excavation area unless a reasonable rationale by a licensed professional engineer is given for not doing so; and

(d) Document the reasons why any underground facilities depicted in the stamped plans do not meet or exceed ASCE 38 utility quality level A or its successor utility quality level for underground facilities at the point of a potential conflict with the installation of a gravity-fed system.

(2.7) An underground facility owner that receives a subsurface utility engineering notification or other request for information from a designer shall respond to the request within ten business days after the request, not including the day of actual notice, in one or more of the following ways:

(a) Provide underground facility location records that give the available information on the location, not to include depth, of underground facilities within the project limits;

(b) Provide a mark on the ground that gives the approximate location, not to include depth, of its underground facilities within the project limits; or

(c) Provide the available information as to the approximate location, not to include depth, of its underground facilities within the project limits.

(3) (a) (I) Repealed.

(II) Effective January 1, 2021, except in emergency situations, except as to an employee or an employer's contractor with respect to the employer's underground facilities, and except as otherwise provided in subsection (3)(e) of this section,



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a person shall not make or begin excavation without first notifying the notification association. Notice may be given by electronic methods approved by the notification association or by telephone.

(b) Notice of the commencement, extent, and duration of the excavation work shall be given at least two business days prior thereto not including the day of actual notice.

(c) (I) Any notice given pursuant to subsection (3)(b) of this section must include the following:

(A) The name and telephone number of the person who is giving the notice;

(B) The name and telephone number of the excavator; and

(C) The specific location, starting date, and description of the intended excavation activity.

(II) If an area of excavation cannot be accurately described on the locate request, the excavator shall notify the owner or operator of the area of excavation using one or more of the following methods:

(A) Physical delineation with white marks on a hard surface area;

(B) Electronic delineation on a map, plan sheet, or aerial photograph that can be transmitted electronically from the excavator to the facility owner or operator through the notification association; or

(C) Scheduling an on-site meeting between the excavator and the owner or operator.

(d) An excavator requiring existing marked underground facilities to be exposed may list a single secondary excavator on its notice to the notification association and employ the services of the listed secondary excavator to expose marked underground facilities using reasonable care to not damage the facilities. The secondary excavator may expose marked underground facilities under the excavator's notice to the notification association only if the excavator has complied with this subsection (3).

(e) (I) Notwithstanding any other provision of this article 1.5, excavation that is routine or emergency maintenance of the right-of-way of a county-maintained gravel or dirt road and is performed by county employees does not require notification of the notification association unless the excavation will:

(A) Lower the existing grade or elevation of the road or any adjacent shoulder or the designed and constructed elevation of any adjacent ditch flowline; or

(B) Disturb more than six inches in depth as it is conducted.

(II) As used in this subsection (3)(e), "ditch flowline" means the line running the length of the bottom of a ditch so that water entering the ditch runs first to the line and thereafter down the line.



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(4) (a) (I) Any owner or operator receiving notice pursuant to subsection (3) of this section shall, at no cost to the excavator and within two business days, not including the day of actual notice, use reasonable care to advise the excavator of the location, number, and size of any underground facilities in the proposed excavation area, including laterals in the public right-of-way, by marking the location of the facilities with clearly identifiable markings within eighteen inches horizontally from the exterior sides of the facilities. The markings must include the depth, if known, and shall be made pursuant to the uniform color code as approved by the American Public Works Association. The markings must meet the marking standards as established by the safety commission pursuant to section 9-1.5-104.2 (1) (a)(I). The documentation required by this subsection (4)(a) (I) shall be provided to the excavator through the notification association and must meet or exceed any quality standards established by the safety commission pursuant to section 9-1.5-104.2 (1)(a)(I). In addition to the markings, the owner or operator shall provide for each of its underground facilities:

(A) Documentation listing the owner's or operator's name and the size and type of each marked underground facility; and

(B) Documentation of the location of the underground facilities in the form of a digital sketch, a hand-drawn sketch, or a photograph that includes a readily identifiable landmark, where practicable.

(II) A sewer system owner or operator shall provide its best available information when marking the location of sewer laterals in the public right-of-way with clearly identifiable markings. "Best available information" includes tap easements and historic records. If the sewer lateral can be electronically located, the sewer system owner or operator shall mark and document the location of the sewer laterals in accordance with this subsection (4)(a). If a sewer system owner or operator of a sewer lateral cannot electronically locate the sewer lateral, the excavator shall find the sewer lateral.

(III) The marking of customer-owned laterals in the public right-of-way is for informational purposes only, and an owner or operator is not liable to any party for damages or injuries resulting from damage done to customer-owned laterals.

(IV) If a person is involved in excavating across a preexisting underground facility, the owner of such facility shall, upon a predetermined agreement at the request of the excavator or the owner, provide on-site assistance. Any owner or operator receiving notice concerning an excavator's intent to excavate shall use reasonable care to advise the excavator of the absence of any underground facilities in the proposed excavation area by providing positive response documentation to the excavator through the notification association that no underground facilities exist in the proposed excavation area. An owner or operator shall, within the time limits specified in



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subsection (6) of this section, provide to the excavator evidence, if any, of underground facilities abandoned after January 1, 2001, known to the owner or operator to be in the proposed excavation area.

(b) The marking of underground facilities shall be considered valid so long as the markings are clearly visible, but not for more than thirty calendar days following the due date of the locate request initiated pursuant to subsection (3) of this section. If an excavation has not been completed within the thirty-day period, the excavator shall notify the notification association at least two business days, not including the day of actual notice, before the end of the thirty-day period.

(b.5) Any person who willfully or maliciously removes a marking used by an owner or operator to mark the location of any underground facility, except in the ordinary course of excavation, commits a petty offense.

(c) (I) (A) When a person excavates within eighteen inches horizontally from the exterior sides of any marked underground facility, the person shall use nondestructive means of excavation to identify underground facilities and shall otherwise exercise reasonable care to protect any underground facility in or near the excavation area. When utilizing trenchless excavation methods, the excavator shall expose underground facilities and visually observe the safe crossing of marked underground facilities when requested to do so by the underground facility owner or operator or the government agency that issued a permit for the excavation.

(B) The excavator shall maintain adequate and accurate documentation, including photographs, video, or sketches and documentation obtained through the notification association, at the excavation site on the location and identification of any underground facility and shall maintain adequate markings of any underground facility throughout the excavation period. A person shall not use a subsurface utility engineering notification for excavation purposes.

(II) (A) If the documentation or markings maintained pursuant to subsection (4)(c)(I) of this section become lost or invalid, the excavator shall notify the notification association or the affected owner or operator through the notification association and request an immediate reverification of the location of any underground facility. Upon receipt of the notification, the affected owner or operator shall respond as quickly as is practicable. The excavator shall cease excavation activities at the affected location until the location of any underground facilities has been reverified.

(B) If the documentation or markings maintained pursuant to subsection (4)(c)(I) of this section are determined to be inaccurate, the excavator shall immediately notify the affected owner or operator through the notification association and shall request an immediate reverification of the location of any underground facility. Upon receipt of the notification, the



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affected owner or operator shall respond as quickly as practicable. The excavator may continue excavation activity if the excavator exercises due caution and care to prevent damaging any underground facility.

(III) If a person performing routine maintenance discovers an underground facility in the area where the routine maintenance is being performed, the person shall notify the notification association and the affected owner or operator as quickly as practicable and request an immediate verification of the location of any underground facility. Upon receiving notification, the affected owner or operator shall respond as quickly as practicable. The person shall cease routine maintenance activities in the immediate area, as determined by exercising due caution and care, until the location of any underground facilities has been verified.

(5) In emergency situations, excavators shall take such precautions as are reasonable under the circumstances to avoid damage to underground facilities and notify affected owners or operators and the notification association as soon as possible of such emergency excavations. In the event of damage to any underground facility, the excavator shall immediately notify the affected owner or operator and the notification association of the location and extent of such damage.

(6) If documentation or markings requested and needed by an excavator pursuant to subsection (4) of this section are not provided by the owner or operator within two business days, not including the day of actual notice, or such later time as agreed upon by the excavator and the owner or operator, or, if the documentation or markings provided fail to identify the location of the underground facilities, the excavator shall immediately give notice through the notification association to the owner or operator, may proceed with the excavation, and is not liable for such damage except upon proof of the excavator's lack of reasonable care.

(6.5) If positive response required pursuant to subsection (4) of this section is not provided by the owner or operator within two business days, not including the day of actual notice, or by a later time as otherwise agreed upon in writing, the notification association shall send an additional renotification to that owner or operator. The notification association shall continue to send out renotifications daily until the notification association receives the positive response.

(7) (a) In the event of damage to an underground facility, the excavator, owner, and operator shall cooperate to mitigate damages to the extent reasonably possible, including the provision of in-kind work by the excavator where technical or specialty skills are not required by the nature of the underground facility. Such in-kind work may be under the supervision and pursuant to the specifications of the owner or operator.

(b) If damage to an underground facility meets



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or exceeds the reporting threshold as established by the notification association pursuant to paragraph (c) of this subsection (7), the owner or operator of the damaged underground facility shall provide the information listed in subparagraphs (I) to (VII) of paragraph (c) of this subsection (7) to the notification association within ninety days after service has been restored.

(c) The notification association shall create and publicize to its members a reporting process, including the availability of electronic reporting and a threshold at which reporting is required, to compile the following information:

- (I) The type of underground facility that was damaged;
- (II) Whether notice of the intention to excavate was provided to the notification association;
- (III) Whether the underground facility had been validly marked prior to being damaged;
- (IV) The type of service that was interrupted;
- (V) Repealed.
- (VI) The duration of the interruption; and
- (VII) The location of the area where the underground facility was damaged.

(d) The notification association shall include a statistical summary of the information provided to it under this subsection (7) in the annual report required under section 9-1.5-105 (2.6).

(e) (I) On or before July 1 of each year, the notification association shall prepare and submit to the safety commission an annual report for each owner or operator summarizing the following data from the prior calendar year:

- (A) The number of locate requests submitted to the owner or operator pursuant to subsection (4) of this section;
- (B) The number of notices submitted to the owner or operator pursuant to subsection (6) of this section;
- (C) The percentage of locate requests resulting in notices submitted to the owner or operator pursuant to subsection (6) of this section;
- (D) The number of renotifications submitted to the owner or operator pursuant to subsection (6.5) of this section; and
- (E) The percentage of locate requests resulting in renotifications submitted to the owner or operator pursuant to subsection (6.5) of this section.

(II) The notification association shall make the data in the annual report electronically accessible to the safety commission for customized reports or research.

(8) A person who performs maintenance shall take reasonable care when disturbing the soil.

(9) If damage results in the escape of any interstate or intrastate natural gas or other gas or hazardous liquid, the excavator or person that caused the damage shall promptly report to the owner and operator and the appropriate



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authorities by calling the 911 emergency telephone number or another emergency telephone number. The reporting is in addition to any reporting required to be made to any state or local agency.

(10) All new underground facilities, including laterals up to the structure or building being served, installed on or after August 8, 2018, must be electronically locatable when installed.

(11) Nothing in this article 1.5 affects or impairs any local ordinances or other provisions of law requiring permits to be obtained before an excavation. A permit issued by a government agency does not relieve an excavator from complying with this article 1.5.

Source: L. 81: Entire article added, p. 521, § 1, effective October 1. **L. 93:** Entire article amended, p. 499, § 1, effective September 1. **L. 2000:** (4)(a), (4)(c), (6), and (7) amended and (4)(b.5) added, p. 685, § 2, effective May 23. **L. 2009:** (4)(c)(III) and (8) added, (HB 09-1092), ch. 38, p. 152, §§ 2, 3, effective August 5. **L. 2018:** (2.4), (2.7), (6.5), (7)(e), and (9) to (11) added, (3)(a), (3)(c), (3)(d), (4)(a), (4)(b), (4)(c)(I), (4)(c)(II), and (6) amended, and (7)(c)(V) repealed, (SB 18-167), ch. 256, p. 1563, § 2, effective August 8. **L. 2021:** (4)(b.5) amended, (SB 21-271), ch. 462, p. 3144, § 100, effective March 1, 2022; (3)(a)(II) and (4)(b) amended and (3)(e) added, (HB 21-1095), ch. 173, p. 948, § 1, effective June 1, 2022.

Editor’s note: Subsection (3)(a)(I)(B) provided for the repeal of subsection (3)(a)(I), effective January 1, 2021. (See L. 2018, p. 1563.)

9-1.5-104. Injunctive relief. (Deleted by amendment)

Source: L. 81: Entire article added, p. 522, § 1, effective October 1. **L. 93:** Entire article amended, p. 502, § 1, effective September 1.

9-1.5-104.2. Underground damage prevention safety commission - creation - review of violations - enforcement - rules. (1) (a) There is created the underground damage prevention safety commission in the department of labor and employment. The safety commission is a **type 2** entity, as defined in section 24-1-105. The safety commission shall:

- (I) Advise the notification association and other state agencies, the general assembly, and local governments on:
 - (A) Best practices and training to prevent damage to underground utilities;
 - (B) Policies to enhance public safety, including the establishment and periodic updating of industry best standards, including marking and documentation best practices and technology advancements; and
 - (C) Policies and best practices to improve efficiency



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and cost savings to the 811 program, including the review, establishment, and periodic updating of industry best standards, to ensure the highest level of productivity and service for the benefit of both excavators and owners and operators; and

(II) Review complaints alleging violations of this article 1.5 involving practices related to underground facilities and order appropriate remedial action or penalties.

(b) The safety commission and the notification association shall enter into a memorandum of understanding to facilitate implementation and administration of this section and sections 9-1.5-104.4, 9-1.5-104.7, and 9-1.5-104.8. The memorandum of understanding must include provisions outlining the roles and responsibilities of the safety commission regarding statewide enforcement and the roles and responsibilities of the notification association in administering the notification association as outlined in section 9-1.5-105.

(c) Notwithstanding the powers and duties assigned to the safety commission, this section and section 9-1.5-104.4 do not apply to a home rule county, city and county, municipality, or power authority established pursuant to section 29-1-204 (1), and nothing in this article 1.5 authorizes the safety commission to impose a penalty on or enforce a recommendation or remedial action regarding an alleged violation of this article 1.5 against a home rule county, city and county, municipality, or power authority; except that:

(I) The safety commission shall:

(A) Inform a home rule county, city and county, municipality, or power authority of an alleged violation of this article 1.5; and

(B) At the request of the applicable home rule county, city and county, municipality, or power authority, suggest corrective action; and

(II) Nothing in this subsection (1)(c) prohibits a home rule county, city and county, municipality, or power authority from participating in proceedings of the safety commission.

(d) The governing body of a home rule county, city and county, municipality, or power authority established pursuant to section 29-1-204 (1) shall adopt by resolution, ordinance, or other official action either:

(I) Its own damage prevention safety program similar to that established pursuant to this article 1.5; or

(II) A waiver that delegates its damage prevention safety program to the safety commission.

(2) (a) The governor shall appoint the following fifteen members of the safety commission, taking into consideration nominations made pursuant to this subsection (2)(a), subject to consent by the senate:

(I) One individual nominated by Colorado Counties, Inc., to represent counties;

(II) One individual nominated by the Colorado Municipal League to represent municipalities;



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- (III) One individual nominated by the Special District Association of Colorado to represent special districts;
- (IV) One individual nominated by Colorado's energy industry to represent energy producers;
- (V) One individual nominated by the Colorado Contractors Association to represent contractors;
- (VI) Two individuals nominated by the excavator members of the notification association to represent excavators;
- (VII) One individual nominated by the American Council of Engineering Companies of Colorado to represent engineers;
- (VIII) One individual nominated by investor-owner utilities to represent investor-owner utilities;
- (IX) One individual nominated by the Colorado Rural Electric Association to represent rural electric cooperatives;
- (X) One individual nominated by the Colorado Pipeline Association to represent pipeline companies;
- (XI) One individual nominated by the Colorado telecommunications and broadband industry to represent telecommunications and broadband companies;
- (XII) One individual nominated by the Colorado Water Utility Council to represent water utilities;
- (XIII) One individual nominated by the department of transportation to represent transportation; and
- (XIV) One individual nominated by the commissioner of agriculture who is actively engaged in farming or ranching.
- (b) The governor shall make initial appointments by January 1, 2019. The members' terms of office are three years; except that the initial term of one of the members appointed pursuant to:
- (I) Subsections (2)(a)(I) to (2)(a)(V) of this section is one year; and
- (II) Subsections (2)(a)(VI) to (2)(a)(X) of this section is two years.
- (c) Within six months after its creation, the safety commission shall adopt bylaws and provide for those organizational processes that are necessary to complete the safety commission's tasks.
- (d) The safety commission may promulgate rules to implement this section and sections 9-1.5-104.4, 9-1.5-104.7, and 9-1.5-104.8 and may revise the rules as needed.
- (3) The safety commission shall meet at least once every three months. The safety commission shall operate independently of the notification association; however, the notification association and the department of labor and employment shall provide administrative support to the safety commission in performing its duties as outlined in this section.
- (4) The safety commission may review complaints of alleged violations of this article 1.5. Any person may bring a complaint to the safety commission regarding an alleged violation. A person who brings a frivolous complaint, as



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determined by the safety commission, commits a minor violation and is subject to a fine as authorized by section 9-1.5-104.4.

(5) To review a complaint of an alleged violation, the safety commission shall appoint at least three and not more than five of its members as a review committee. The review committee must include the same number of members representing excavators and owners or operators and at least one member who does not represent excavators or owners or operators. A safety commission member who has a conflict of interest with regard to a particular matter shall recuse himself or herself from serving on a review committee with regard to that matter.

(6) (a) Before reviewing a complaint, the review committee shall notify the person making the complaint and the alleged violator of its intent to review the complaint and of the opportunity for both parties to participate. The notification must include the hearing date for the complaint, which must be scheduled for a date within ninety days after the date on which the safety commission received the complaint, and a statement that the parties may submit written or oral comments at the hearing. The hearing date can be postponed by mutual agreement of the parties to a date that is acceptable to the review committee. The complaining party may voluntarily withdraw the complaint prior to a hearing by the review committee. The safety commission shall promulgate rules governing the conduct of hearings under this section.

(b) The review committee shall determine whether a violation of the law has occurred and, if appropriate, recommend remedial action consistent with the guidance developed pursuant to section 9-1.5-104.4 (2). A recommendation of remedial action that includes a fine requires a unanimous vote of the review committee. The review committee shall not recommend remedial action or a fine against a homeowner, rancher, or farmer, as defined in section 42-20-108.5, unless the review committee finds by clear and convincing evidence that a violation of the law has occurred. Within seven business days after the completion of the hearing, the review committee shall provide to the safety commission in writing a report of its findings of facts, its determination of whether a violation of the law has occurred, and any recommendation of remedial action or penalty.

(7) The safety commission is bound by the review committee's findings of fact and decision, but the safety commission may adjust the review committee's recommendation of remedial action or penalty if an adjustment is supported by at least twelve members of the safety commission. Within ten business days after the safety commission meeting to review the findings and recommendations of the review committee, the safety commission shall provide in writing to the person making the complaint and the alleged violator a summary of the review committee's findings and the safety commission's final



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determination with respect to any required remedial action or penalty. The decision of the safety commission is final agency action subject to review by the district court pursuant to section 24-4-106.

(8) If a decision by the safety commission involves a fine authorized by section 9-1.5-104.4, the safety commission shall invoice for and collect the fine indicating that a violation of this article 1.5 has been committed by a person or involving the underground facilities of a person. The safety commission may enforce the fine assessed under this article 1.5 as provided in section 24-30-202.4.

(9) (a) If a person does not comply with the safety commission's decision, the safety commission, represented by the attorney general, may enforce this article 1.5 by bringing an action in the Denver district court. In an action brought by the safety commission pursuant to this section, the court may award the safety commission all costs of investigation and trial, including reasonable attorney fees fixed by the court.

(b) Any costs incurred by the safety commission as a result of administering this article 1.5, including legal services, shall be paid from the safety commission fund created in section 9-1.5-104.8. Any costs and fees awarded by the court pursuant to this subsection (9) shall be deposited in the safety commission fund created in section 9-1.5-104.8.

Source: L. 2018: Entire section added, (SB 18-167), ch. 256, p. 1568, § 3, effective August 8. L. 2022: IP(1)(a) amended, (SB 22-162), ch. 469, p. 3386, § 96, effective August 10.

Editor's note: This section is repealed, effective September 1, 2028, pursuant to § 9-1.5- 108.

Cross references: For the short title (the "Debbie Haskins 'Administrative Organization Act of 1968' Modernization Act") in SB 22-162, see section 1 of chapter 469, Session Laws of Colorado 2022.

9-1.5-104.3. Alternative dispute resolution. The notification association shall create a voluntary alternative dispute resolution program in consultation with its members and all affected parties. The alternative dispute resolution program must be available to all owners or operators, excavators, and other interested parties regarding disputes arising from damage to underground facilities, including any cost or damage incurred by the owner or operator or the excavator as a result of any delay in the excavation project while the underground facility is restored, repaired, or replaced, exclusive of civil penalties set forth in and fines assessed pursuant to section 9-1.5-104.4 or 9-1.5-104.5, that cannot be resolved through consultation and negotiation. The alternative dispute resolution program must include mediation, arbitration, or other appropriate processes of dispute resolution. The issue of liability and amount of damages



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under Colorado law may be decided by an appointed arbitrator or by the parties in mediation. Nothing in this section changes the basis for civil liability for damages.

Source: L. 2000: Entire section added, p. 687, § 3, effective May 23. **L. 2018:** Entire section amended, (SB 18-167), ch. 256, p. 1574, § 4, effective August 8.

9-1.5-104.4. Penalties - guidance. (1) A person who violates this article 1.5 is subject to a fine of not more than five thousand dollars for an initial violation and not more than seventy-five thousand dollars for each subsequent violation within a twelve-month period.

(2) In the performance of its duties regarding any complaint, the safety commission is encouraged to consider training, support services, or other remediation measures that will improve the behavior of the party and further the goals of this article 1.5 to ensure the safety of all participants and Coloradans. The safety commission shall develop guidance for the recommendation of remedial actions that are consistent with the following principles:

(a) Guidance shall be developed to help the review committee in determining whether an alleged violation should be classified as a minor, moderate, or major violation;

(b) Alternatives to fines may be considered, especially for a party that the safety commission has not found to be responsible for a violation in the previous twelve months; and

(c) In considering the appropriate remedial action, the safety commission may consider the number of violations relative to the number of notifications received.

(3) The maximum fines for the three different classifications of violations are as follows:

Number of violations within the previous twelve months				
	One	Two	Three	Four
Minor	\$250	\$500	\$1,000	\$5,000
Moderate	\$1,000	\$2,500	\$5,000	\$25,000
Major	\$5,000	\$25,000	\$50,000	\$75,000

(4) The following are not subject to a fine otherwise authorized pursuant to this section:

(a) With regard to an excavation occurring on a ranch or farm, a rancher or a farmer, as defined in section 42-20-108.5, unless the excavation is for a nonagricultural purpose; and

(b) With regard to a failure to notify the notification association or the affected owner or operator and to damage to an underground facility during excavation, a homeowner, rancher, or farmer, as defined in section 42-20-108.5, working on the homeowner's, rancher's, or farmer's property.

Source: L. 2018: Entire section added, (SB 18-167), ch. 256, p. 1568, § 3, effective August 8.



Editor's note: This section is repealed, effective September 1, 2028, pursuant to § 9-1.5-108.

9-1.5-104.5. Civil penalties - applicability. (1) (a) Every owner or operator of an underground facility in this state shall join the notification association pursuant to section 9-1.5-105.

(b) Any owner or operator of an underground facility who does not join the notification association in accordance with paragraph (a) of this subsection (1) shall be liable for a civil penalty of two hundred dollars.

(c) (I) If any underground facility located in the service area of an owner or operator is damaged as a result of such owner or operator's failure to comply with paragraph (a) of this subsection (1), the court shall impose upon such owner or operator a civil penalty in the amount of five thousand dollars for the first offense and up to twenty-five thousand dollars for each subsequent offense within a twelve-month period after the first offense. Upon a first offense, the owner or operator shall be required by the court to complete an excavation safety training program with the notification association.

(II) If any owner or operator fails to comply with paragraph (a) of this subsection (1) on more than three separate occasions within a twelve-month period from the date of the first failure to comply with paragraph (a) of this subsection (1), then the civil penalty shall be up to seventyfive thousand dollars.

(d) If any underground facility is damaged as a result of the owner or operator's failure to comply with paragraph (a) of this subsection (1) or failure to use reasonable care in the marking of the damaged underground facility, such owner or operator shall be presumably liable for:

(I) Any cost or damage incurred by the excavator as a result of any delay in the excavation project while the underground facility is restored, repaired, or replaced, together with reasonable costs and expenses of suit, including reasonable attorney fees; and

(II) Any injury or damage to persons or property resulting from the damage to the underground facility. Any such owner or operator shall also indemnify and defend the affected excavator against any and all claims or actions, if any, for personal injury, death, property damage, or service interruption resulting from the damage to the underground facility.

(2) (a) Any person who intends to excavate shall notify the notification association pursuant to section 9-1.5-103 prior to commencing any excavation activity. For purposes of this paragraph (a), excavation shall not include an excavation by a rancher or a farmer, as defined in section 42-20-108.5, C.R.S., occurring on a ranch or farm unless such excavation is for a nonagricultural purpose.

(b) Any person, other than a homeowner, rancher, or



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farmer, as defined in section 42-20- 108.5, C.R.S., working on such homeowner's, rancher's, or farmer's property, who fails to notify the notification association or the affected owner or operator pursuant to paragraph (a) of this subsection (2) shall be liable for a civil penalty in the amount of two hundred dollars.

(c) (I) If any person, other than a homeowner, rancher, or farmer, as defined in section 42-20-108.5, C.R.S., working on such homeowner's, rancher's, or farmer's property, fails to comply with paragraph (a) of this subsection (2) and damages an underground facility during excavation, such person shall be liable for a civil penalty in the amount of five thousand dollars for the first offense and up to twenty-five thousand dollars for each subsequent offense within a twelve-month period after the first offense. Upon a first offense, such person shall be required to complete an excavation safety training program with the notification association.

(II) If any person fails to comply with paragraph (a) of this subsection (2) on more than three separate occasions within a twelve-month period from the date of the first failure to comply with paragraph (a) of this subsection (2), then the civil penalty shall be up to seventy-five thousand dollars.

(d) If any person, other than a homeowner, rancher, or farmer, as defined in section 42- 20-108.5, C.R.S., working on such homeowner's, rancher's, or farmer's property, fails to comply with paragraph (a) of this subsection (2) or fails to exercise reasonable care in excavating or performing routine maintenance and damages an underground facility during such excavation or routine maintenance, such person shall be presumably liable for:

(I) Any cost or damage incurred by the owner or operator in restoring, repairing, or replacing its damaged underground facility, together with reasonable costs and expenses of suit, including reasonable attorney fees; and

(II) Any injury or damage to persons or property resulting from the damage to the underground facility. Any such person shall also indemnify and defend the affected owner or operator against any and all claims or actions, if any, for personal injury, death, property damage, or service interruption resulting from the damage to the underground facility.

(e) Paragraph (d) of this subsection (2) shall not apply to a person who commences excavation affecting an underground facility if the owner or operator of the underground facility has failed to comply with paragraph (a) of subsection (1) of this section or has failed to use reasonable care in the marking of the affected underground facility.

(3) (a) An action to recover a civil penalty under this section may be brought by an owner or operator, excavator, aggrieved party, district attorney, or the attorney general. Venue for such an action shall be proper in the district court for the county in which the owner or operator, excavator, or aggrieved party resides or maintains a principal place of business in this



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state or in the county in which the conduct giving rise to a civil penalty occurred.

(b) Any civil penalty imposed pursuant to this section, including reasonable attorneyfees, shall be paid to the prevailing party.

(c) The penalties and remedies provided in this article 1.5 are in addition to any other remedy at law or equity available to an excavator or to the owner or operator of a damaged underground facility, and sections 9-1.5-104.2 and 9-1.5-104.4, regarding the safety commission's enforcement authority, do not limit or restrict any other remedy at law or equity available to an excavator or to the owner or operator of a damaged underground facility.

(d) No civil penalty shall be imposed under this section against an excavator or owner or operator who violates any of the provisions of this section if the violation occurred while the excavator or owner or operator was responding to a service outage or other emergency; except that such penalty shall be imposed if such violation was willful or malicious.

(4) Nothing in this article shall be construed to impose an indemnification obligation on any public entity or to alter the liability of public entities as provided in article 10 of title 24, C.R.S.

(5) In determining the liability for or the amount of any damages or civil penalty pursuant to this article, a court or arbitrator shall consider the nature, circumstances, and gravity of the alleged violation and the alleged violator's degree of culpability, history of prior violations, and level of cooperation with the requirements of this article.

Source: L. 83: Entire section added, p. 440, § 1, effective July 1. L. 93: (1) and (3) amended, p. 502, § 1, effective September 1; (2) amended, p. 502, § 1, effective January 1, 1994. L. 2000: Entire section R&RE, p. 688, § 4, effective May 23. L. 2009: IP(2)(d) amended, (HB 09-1092), ch. 38, p. 152, § 4, effective August 5. L. 2018: (3)(c) amended, (SB 18-167), ch. 256, p. 1574, § 5, effective August 8.

9-1.5-104.7. Damage prevention fund. (1) The damage prevention fund, referred to in this section as the "fund", is hereby created in the state treasury. The fund consists of:

(a) All receipts from money directed by law to be deposited to the fund;

(b) All fines collected pursuant to section 9-1.5-104.4; and

(c) Any other money that the general assembly may appropriate or transfer to the fund.

(2) The state treasurer shall credit all interest and income derived from the deposit and investment of money in the fund to the fund.

(3) Only the safety commission may authorize



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expenditures from the fund. Subject to annual appropriation by the general assembly, the safety commission may use money deposited in the fund only to:

(a) Develop and disseminate educational programming designed to improve worker and public safety relating to excavation and underground facilities; and

(b) Provide grants to persons who have developed educational programming that the notification association and the safety commission deem appropriate for improving worker and public safety relating to excavation and underground facilities.

Source: L. 2018: Entire section added, (SB 18-167), ch. 256, p. 1568, § 3, effective August 8.

Editor's note: This section is repealed, effective September 1, 2028, pursuant to § 9-1.5-108.

9-1.5-104.8. Safety commission fund. (1) The safety commission fund, referred to in this section as the “fund”, is hereby created in the state treasury. The fund consists of:

(a) All receipts from money directed by law to be deposited to the fund, including costs and fees awarded by a court pursuant to section 9-1.5-104.2 (9)(b); and

(b) Any other money that the general assembly may appropriate or transfer to the fund.

(2) The state treasurer shall credit all interest and income derived from the deposit and investment of money in the fund to the fund.

(3) Only the safety commission may authorize expenditures from the fund. Subject to annual appropriation by the general assembly, the safety commission may use money deposited in the fund only to pay for its expenses in administering this article 1.5.

Source: L. 2018: Entire section added, (SB 18-167), ch. 256, p. 1568, § 3, effective August 8.

Editor's note: This section is repealed, effective September 1, 2028, pursuant to § 9-1.5-108.

9-1.5-105. Notification association - structure and funding requirements - duties of owners and operators - report. (1) There is hereby created a nonprofit corporation in the state of Colorado, referred to in this article 1.5 as the “notification association”, which consists of all owners or operators of underground facilities. All owners and operators shall join the notification association and shall participate in a statewide program that utilizes a single, toll-free telephone number 811 that excavators can use to notify the notification



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association of pending excavation plans.

(2) to (2.3) Repealed.

(2.4) Effective January 1, 2021, all underground facility owners and operators are members of the notification association. All members are full members of the notification association and are entitled to receive full service benefits as part of membership as specified in this article 1.5.

(2.5) The notification association may accept any organization, person, or entity which has an interest in the purposes and functions of the association as a member whether specifically enumerated in this article or not. Any such member shall comply with the bylaws of the association.

(2.6) (a) The notification association shall prepare annual reports on its activities, as follows:

(I) A statistical summary of the information reported to it pursuant to section 9-1.5-103 (7)(b); and

(II) An annual, independent financial audit of its operations.

(b) The notification association shall provide a copy of both reports created under paragraph (a) of this subsection (2.6) to its members and shall provide the report created under subparagraph (I) of paragraph (a) of this subsection (2.6) to the public utilities commission of the state of Colorado.

(3) (a) Repealed.

(b) Effective January 1, 2021, each member of the notification association shall provide general information regarding all of the locations of any underground facilities that the member owns or operates, for excavation notification purposes only, and the member's contact information, both of which shall be updated annually, to the notification association, and the association shall maintain the information on file in a manner that ensures the confidentiality and security of the information.

(c) Information regarding the location of underground facilities provided to the notification association by an owner or operator or to the safety commission by the notification association is exempt from the "Colorado Open Records Act", part 2 of article 72 of title 24, pursuant to section 24-72-204 (2) (a)(VIII)(A) regarding specialized details of critical infrastructure.

(4) (a) (I) The notification association is governed by a board of directors, which must be representative of the membership of the association.

(II) Repealed.

(b) The board of directors shall be elected by the membership of the association pursuant to the bylaws of the association.

(5) The notification association shall be incorporated and operated as a nonprofit corporation pursuant to the "Colorado Revised Nonprofit Corporation Act", articles 121 to 137 of title 7, C.R.S.



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(6) This section does not apply to:

(a) Any owner or occupant of real property under which underground facilities are buried if the facilities are used solely to furnish service or commodities to the real property and no part of the facilities is located in a public street, county road, alley, or right-of-way dedicated to public use; or

(b) Any homeowner.

Source: L. 81: Entire article added, p. 522, § 1, effective October 1. L. 93: Entire article amended, p. 503, § 1, effective September 1. L. 97: (5) amended, p. 761, § 27, effective July 1, 1998. L. 2000: IP(2) amended and (2.6) R&RE, pp. 690, 691, §§ 5, 6, effective May 23. L. 2018: (1), IP(2), (3), (4), and (6) amended, (2.1) and (2.4) added, and (2.3) repealed, (SB 18- 167), ch. 256, p. 1575, § 6, effective August 8.

Editor's note: Subsections (2.1)(a), (3)(a)(II), and (4)(a)(II)(B) provided for the repeal of subsections (2), (2.1), (3)(a), and (4)(a)(II), respectively, effective January 1, 2021. (See L. 2018, p. 1575.)

9-1.5-106. Notice requirements. (1) The notification association created in section 9-1.5-105 shall:

(a) Receive and record notifications from excavators concerning intended excavation activities including sites, dates, and the nature of any intended excavation;

(b) Maintain a record of each notice of intent to excavate for a minimum of three years; and

(c) File the notification received regarding any proposed excavation site and the notification provided regarding such excavation site, including the date and time of each such notification, by reference number.

(2) The notification association shall establish and maintain a damage prevention safety program and shall conduct periodic public awareness campaigns.

(3) (a) Repealed.

(b) Effective January 1, 2021, the notification association shall provide prompt notice of any proposed excavation to each affected member that has any underground facilities in the area of the proposed excavation site.

Source: L. 93: Entire article amended, p. 505, § 1, effective September 1. L. 2018: (3) amended, (SB 18-167), ch. 256, p. 1577, § 7, effective August 8.

Editor's note: Subsection (3)(a)(II) provided for the repeal of subsection (3)(a), effective January 1, 2021. (See L. 2018, p. 1577.)

9-1.5-107. Notice of removal of underground facilities. At least ten days before beginning an excavation to remove an underground facility that is a gas transmission



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pipeline that has been abandoned or is unused and is not located in a public road, street, alley, or right-of-way dedicated to public use, the excavator shall notify each owner of record and occupant of the real property where such underground facility is located. The notice shall state the commencement, extent, and duration of the excavation in addition to the information required by section 9-1.5-103 (3)(c) and shall be served in the same manner as personal service under the Colorado rules of civil procedure; except that, if such personal service cannot be made through the use of due diligence, notice may be served by mail to the owner's or occupant's last-known address. If a valid mailing address is not available through the use of due diligence, notice may be made by publication in a newspaper published in the county in which the property is located. For purposes of this section, an underground facility is not considered abandoned or unused if it is in operation for its intended purpose or is being actively maintained with reasonable anticipation of a future use.

Source: L. 2007: Entire section added, p. 162, § 1, effective August 3.

9-1.5-108. Repeal - sunset review. (1) This section and sections 9-1.5-104.2, 9-1.5- 104.4, 9-1.5-104.7, and 9-1.5-104.8 are repealed, effective September 1, 2028.

(2) Before the repeal, the functions of the underground damage prevention safety commission related to underground facilities specified in sections 9-1.5-104.2, 9-1.5-104.4, 9-1.5-104.7, and 9-1.5-104.8 are scheduled for review in accordance with section 24-34-104.

Source: L. 2018: Entire section added, (SB 18-167), ch. 256, p. 1577, § 8, effective August 8.

Note: This is an Uncertified Printout. For the most up to date version of the law please visit <https://leg.colorado.gov/agencies/office-legislative-legal-services/colorado-revised-statutes>.



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SECTION X: OTHER APPLICABLE LAWS AND REGULATIONS

Underground Damage Prevention Safety Commission

On May 25, 2018, Governor Hickenlooper signed Senate Bill 18-167 into law. This bill included the creation of the Underground Damage Prevention Safety Commission (Safety Commission), effective August 8, 2018.

In order to assist in preventing damage to underground facilities, the Safety Commission is charged with the following tasks:

- Making recommendations regarding:
 - Best practices and training
 - Policies to enhance public safety
 - Policies to improve efficiency and cost savings to the 811 program
- Reviewing complaints of alleged violations and ordering appropriate remedial action/penalties.

Alternative Dispute Resolution

Colorado 811 has an Alternative Dispute Resolution (ADR) program available to all facility owners/operators, excavators, and other interested parties regarding disputes arising from damage to underground facilities, including, but not limited to, any cost or damage incurred by the owner/operator or excavator as a result of any delay in the excavation project while the underground facility is restored, repaired or replaced, exclusive of civil penalties that cannot be resolved through consultation and negotiation.

Federal Laws:

49 U.S.C. § 60123

(d) PENALTY FOR NOT USING ONE-CALL NOTIFICATION SYSTEM OR NOT HEEDING LOCATION INFORMATION OR MARKINGS. —A person shall be fined under title 18, imprisoned for not more than 5 years, or both, if the person—

(1) knowingly and willfully engages in an excavation activity—

(A) without first using an available one-call notification system to establish the location of underground facilities in the excavation area; or



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(B) without paying attention to appropriate location information or markings the operator of a pipeline facility establishes; and

(2) subsequently damages—

(A) a pipeline facility that results in death, serious bodily harm, or actual damage to property of more than \$50,000;

(B) a pipeline facility, and knows or has reason to know of the damage, but does not report the damage promptly to the operator of the pipeline facility and to other appropriate authorities; or

(C) a hazardous liquid pipeline facility that results in the release of more than 50 barrels of product.

Penalties under this subsection may be reduced in the case of a violation that is promptly reported by the violator.

CGA Damage Information Reporting Tool (DIRT) – Field Form

Note: State law requires that facility owners/operators report damages within 90 days of restoration of service.

Colorado 811 recommends excavators report damage information into the Common Ground Alliance Damage Information Reporting Tool (DIRT). This process allows excavators to have a voice in reporting damages and provides valuable data when damage reporting and analysis are required. Additionally, this procedure gives Colorado 811 and all stakeholders the ability to understand the reasons why damages occur and how to prevent them in the future.

Visit DIRT Colorado at www.cga-dirt.com/uncc.

“Anytime a damage occurs, a proper investigation is performed to determine not only the responsible party but also the root cause of the damage. The information gathered from damage investigations is essential in preventing future damages.” CGA. (2021). Best Practices 18.0. Common Ground Alliance

<https://commongroundalliance.com/Portals/0/Library/2021/Best-Practices/Best-Practices-18-FINAL.pdf?ver=2021-07-16-170648-197>



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DAMAGE INFORMATION REPORTING TOOL (DIRT) - FIELD FORM

Part A - Original Source of Event Information

Who is providing the information?

- | | |
|---|--|
| <input type="checkbox"/> Electric | <input type="checkbox"/> Engineer/Design |
| <input type="checkbox"/> Equipment Manufacturer | <input type="checkbox"/> Excavator |
| <input type="checkbox"/> Liquid Pipeline | <input type="checkbox"/> Locator |
| <input type="checkbox"/> Natural Gas | <input type="checkbox"/> Private Water |
| <input type="checkbox"/> Public Works | <input type="checkbox"/> Railroad |
| <input type="checkbox"/> Road Builders | <input type="checkbox"/> Federal / State Regulator |
| <input type="checkbox"/> Telecommunications | <input type="checkbox"/> Unknown/Other |

Name of person providing the information:

Part B - Type, Date, and Location of Event

Type of Event:

DIRT Event

- ☐ Underground Damage
☐ Underground Near Miss

Non-DIRT Event

- ☐ Above Grade
☐ Aerial
☐ Natural Cause
☐ Submarine

***Date of Event:**

(MM/DD/YY)

***Country:**

***State:**

***County:**

City

Street address:

Nearest Intersection:

Latitude/Longitude:

Lat:

Long:

☐ Decimal Degrees

☐ D M S

***Right-of-Way where event occurred**

Public:

- | | |
|--|---|
| <input type="checkbox"/> City Street | <input type="checkbox"/> Interstate Highway |
| <input type="checkbox"/> State Highway | <input type="checkbox"/> Public-Other |
| <input type="checkbox"/> County Road | |

Private:

- | | |
|---|--|
| <input type="checkbox"/> Private Business | <input type="checkbox"/> Private Land Owner |
| <input type="checkbox"/> Private Easement | <input type="checkbox"/> Pipeline |
| <input type="checkbox"/> Federal Land | <input type="checkbox"/> Power/Transmission Line |
| <input type="checkbox"/> Railroad | <input type="checkbox"/> Dedicated Public Utility Easement |
| | <input type="checkbox"/> Unknown/Other |



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Part C - Affected Facility Information

***What type of facility operation was affected?**

- | | |
|---|--------------------------------------|
| <input type="checkbox"/> Cable Television | <input type="checkbox"/> Electric |
| <input type="checkbox"/> Liquid Pipeline | <input type="checkbox"/> Natural Gas |
| <input type="checkbox"/> Sewer | <input type="checkbox"/> Steam |
| <input type="checkbox"/> Telecommunications | <input type="checkbox"/> Water |
| <input type="checkbox"/> Unknown/Other | |

***What type of facility was affected?**

- | | |
|--|---------------------------------------|
| <input type="checkbox"/> Distribution | <input type="checkbox"/> Gathering |
| <input type="checkbox"/> Service/Drop | <input type="checkbox"/> Transmission |
| <input type="checkbox"/> Unknown/Other | |

Was the facility part of a joint trench?

- | | |
|----------------------------------|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Unknown | |

Did this event involve a Cross Bore?

- | | |
|------------------------------|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|------------------------------|-----------------------------|

Was the facility owner One Call Center member?

- | | |
|----------------------------------|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Unknown | |

If No, is facility owner exempt from One Call Center Membership?

- | | |
|----------------------------------|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Unknown | |

Measured Depth

- ☐ Embedded in concrete/asphalt pavement
- ☐ <18" / 46 cm
- Measured depth _____

From Grade

- | | |
|---|---------------------------------------|
| <input type="checkbox"/> 18" - 36" / 46 - 91 cm | <input type="checkbox"/> >36" / 91 cm |
|---|---------------------------------------|
- from grade _____ in/cm

Part D - Excavation Information

***Type of Excavator**

- | | |
|---------------------------------------|--|
| <input type="checkbox"/> Contractor | <input type="checkbox"/> County |
| <input type="checkbox"/> Developer | <input type="checkbox"/> Farmer |
| <input type="checkbox"/> Municipality | <input type="checkbox"/> Occupant |
| <input type="checkbox"/> Railroad | <input type="checkbox"/> State |
| <input type="checkbox"/> Utility | <input type="checkbox"/> Unknown/Other |



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***Type of Excavation Equipment**

- | | |
|--|---|
| <input type="checkbox"/> Auger | <input type="checkbox"/> Backhoe/Trackhoe |
| <input type="checkbox"/> Boring | <input type="checkbox"/> Bulldozer |
| <input type="checkbox"/> Drilling | <input type="checkbox"/> Directional Drilling |
| <input type="checkbox"/> Explosives | <input type="checkbox"/> Farm Equipment |
| <input type="checkbox"/> Grader/Scraper | <input type="checkbox"/> Hand Tools |
| <input type="checkbox"/> Milling Equipment | <input type="checkbox"/> Probing Device |
| <input type="checkbox"/> Trencher | <input type="checkbox"/> Vacuum Equipment |
| <input type="checkbox"/> Unknown/Other | |

***Type of Work Performed**

- | | |
|---|---|
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Bldg. Construction |
| <input type="checkbox"/> Bldg. Demolition | <input type="checkbox"/> Cable Television |
| <input type="checkbox"/> Curb/Sidewalk | <input type="checkbox"/> Drainage |
| <input type="checkbox"/> Driveway | <input type="checkbox"/> Electric |
| <input type="checkbox"/> Engineering/Survey | <input type="checkbox"/> Fencing |
| <input type="checkbox"/> Grading | <input type="checkbox"/> Irrigation |
| <input type="checkbox"/> Landscaping | <input type="checkbox"/> Liquid Pipeline |
| <input type="checkbox"/> Milling | <input type="checkbox"/> Natural Gas |
| <input type="checkbox"/> Pole | <input type="checkbox"/> Public Transit Auth. |
| <input type="checkbox"/> Railroad | <input type="checkbox"/> Road Work |
| <input type="checkbox"/> Sewer | <input type="checkbox"/> Site Development |
| <input type="checkbox"/> Steam | <input type="checkbox"/> Storm Drain/Culvert |
| <input type="checkbox"/> Street Light | <input type="checkbox"/> Telecommunication |
| <input type="checkbox"/> Traffic Signal | <input type="checkbox"/> Traffic Sign |
| <input type="checkbox"/> Water | <input type="checkbox"/> Waterway Improvement |
| <input type="checkbox"/> Unknown/Other | |

Part E - Notification and Locating

***Was the One-Call Center notified?**

- | | |
|------------------------------|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|------------------------------|-----------------------------|
- Ticket Number _____

If Yes, type of locator _____

- | | |
|---|---|
| <input type="checkbox"/> Facility Owner | <input type="checkbox"/> Contract Locator |
| <input type="checkbox"/> Unknown/Other | |

If No, is excavation activity and/or excavator type exempt from notification?

- | | |
|----------------------------------|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Unknown | |

Was work area white-lined?

- | | |
|----------------------------------|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Unknown | |

Part F - Intentionally left blank



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Part G - Excavator Downtime

Did Excavator incur down time?

☐ Yes

☐ No

If yes, how much time?

☐ < 1 hr

☐ 1 -<2 hrs

☐ 2 -<3 hrs

☐ 3+ hrs

Exact Value _____

☐ Unknown

Estimated cost of down time?

☐ \$0

☐ \$1 - \$1,000

☐ \$1,001 - \$5,000

☐ \$5,001 - \$25,000

☐ \$25,001 - \$50,000

☐ >\$50,000

Exact Value _____

☐ Unknown

Part H - Interruption and Restoration

***Did the damage cause an interruption in service?**

☐ Yes

☐ No

☐ Unknown

If yes, duration of interruption

☐ < 1 hr

☐ 1 -<6 hrs

☐ 6 -<12 hrs

☐ 12 -<24 hrs

☐ 12 -<24 hrs

☐ 24 -<48 hrs

☐ 48 + hrs

☐ Unknown

Exact Value _____

Approximately how many customers were affected?

☐ Unknown

☐ 0

☐ 1

☐ 2 - 10

☐ 11 - 50

☐ 51+

Exact Value _____

Estimated cost of damage / repair/restoration:

☐ \$0

☐ \$1 - \$1,000

☐ \$1,001 - \$5,000

☐ \$5,001 - \$25,000

☐ \$25,001 - \$50,000

☐ >\$50,000

Exact Value _____

☐ Unknown

***Part I - Root Cause Select only one**

Notification Issue

☐ No notification made to One Call Center/ 811

☐ Excavator dug outside area described on ticket

☐ Excavator dug prior to valid start date/time

☐ Excavator dug after valid ticket expired

☐ Excavator provided incorrect notification information



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Excavation Issue

- ☐ Excavator dug prior to verifying marks by test-hole (pothole)
- ☐ Excavator failed to maintain clearance after verifying marks
- ☐ Excavator failed to protect/shore/support facilities
- ☐ Improper backfilling practices
- ☐ Marks faded or not maintained
- ☐ Improper excavation practice not listed above

Locating Issue

Facility not marked due to:

- ☐ Abandoned facility
- ☐ Incorrect facility records/maps
- ☐ Locator error
- ☐ No response from operator/contract locator
- ☐ Incomplete marks at damage location
- ☐ Tracer wire issue
- ☐ Unlocatable Facility

Facility marked inaccurately due to:

- ☐ Abandoned facility
- ☐ Incorrect facility records/maps
- ☐ Locator error
- ☐ Tracer wire issue

Miscellaneous Root Causes

- ☐ Deteriorated facility
- ☐ One Call Center Error
- ☐ Previous damage
- ☐ Root Cause not listed (comment required)

Part J - Additional Comments

Part Z – Images and Attachments:

List the file names of any images and attachments to submit with this report

“*” Indicates a Required Field











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COLOR CODE

For Marking Underground Utility Lines

	Proposed Excavation
	Temporary Survey Markings
	Electric
	Gas, Oil, Steam
	Communication, CATV
	Potable Water
	Irrigation, Reclaimed Water, Slurry Lines
	Sewer



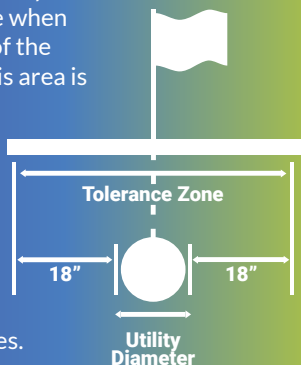
Always contact 811 before you dig.

(800) 922-1987

www.co811.org

Tolerance Zone

Colorado law requires you to use reasonable care when digging within 18" of the marked utilities. This area is known as the tolerance zone and hand digging is required. Always use caution when digging near underground utilities.



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