

Introduced by Senator Margett

February 13, 2004

An act to amend Section 4216.4 of the Government Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

SB 1274, as amended, Margett. Public contracts: subsurface excavation.

Existing law requires an excavator to determine the exact location of subsurface installations that are in conflict with the excavation before using any power-operated or power-driven excavating or boring equipment within the approximate location of the subsurface installation, with a specified exception. The excavator is required to use hand tools to determine the location of subsurface installations, as specified.

This bill would expand that provision to include all tools that are not power-operated or power-driven.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4216.4 of the Government Code is
2 amended to read:
3 4216.4. (a) The excavator shall determine the exact location
4 of subsurface installations in conflict with the excavation by
5 excavating with ~~tools~~ *hand tools or a vacuum excavation device*

1 within the area of the approximate location of subsurface
 2 installations as determined by the field marking provided in
 3 accordance with Section 4216.3 before using any power-operated
 4 or power-driven excavating or boring equipment within the
 5 approximate location of the subsurface installation, except that
 6 power-operated or power-driven excavating or boring equipment
 7 may be used for the removal of any existing pavement if there are
 8 no subsurface installations contained in the pavement. If mutually
 9 agreeable with the operator and the excavator, the excavator may
 10 utilize power-operated or power-driven excavating or boring
 11 equipment within the approximate location of a subsurface
 12 installation and to any depth.

13 (b) If the exact location of the subsurface installation cannot be
 14 determined *by hand excavating or by using a vacuum excavation*
 15 *device* in accordance with subdivision (a), the excavator shall
 16 request the operator to provide additional information to the
 17 excavator, to the extent that information is available to the
 18 operator, to enable the excavator to determine the exact location
 19 of the installation.

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21 CORRECTIONS

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