

Amendment No. 81

Senate Amendment to Senate Bill No. 146

(BDR 40-654)

Proposed by: Committee on Human Resources and Education**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend the bill as a whole by renumbering sections 5 and 6 as sections 6 and 7 and adding a new section designated sec. 5, following sec. 4, to read as follows:

“**Sec. 5.** NRS 455.110 is hereby amended to read as follows:

455.110 1. Except as otherwise provided in subsection 2, a person shall not begin an excavation or demolition if the excavation or demolition is to be conducted in an area that is known or reasonably should be known to contain a subsurface installation, except a subsurface installation owned or operated by the person conducting the excavation or demolition, unless he:

(a) Notifies the appropriate association for operators pursuant to NRS 455.120, at least 2 working days but not more than 14 calendar days before excavation or demolition is scheduled to commence. The notification may be written or provided by telephone and must state the name, address and telephone number of the person who is responsible for the excavation or demolition, the starting date

YMG/LH

Date: 4/11/2005

S.B. No. 146—Makes various changes concerning detection and marking of subsurface installations.



of the excavation or demolition, anticipated duration and type of excavation or demolition to be conducted, the specific area of the excavation or demolition and whether explosives are to be used.

(b) Cooperates with the operator in locating and identifying its subsurface installation by:

- (1) Meeting with its representative as requested; and
- (2) Making a reasonable effort that is consistent with the practice in the industry to mark with white paint, *flags, stakes, whiskers* or another method that is agreed to by the operator and the person who is responsible for the excavation or demolition, the proposed area of the excavation or demolition.

2. A person responsible for emergency excavation or demolition is not required to comply with the provisions of subsection 1 if there is a substantial likelihood that loss of life, health or property will result before the provisions of subsection 1 can be fully complied with. The person shall notify the operator of the action he has taken as soon as practicable.”.

Amend sec. 5, page 3, by deleting lines 27 through 45 and inserting:

“455.133 An operator who marks the approximate location of a subsurface installation shall make a reasonable effort to make the markings in a manner that is consistent with the practice in the industry. The operator shall use the ~~following~~ *identifying criteria and* colors *set forth in the regulations of the Public Utilities Commission of Nevada* for the markings . ~~;~~

~~—1. Safety red must be used for electrical power, distribution and transmission installations, conduit for traffic signals and street lights and municipal electric installations.~~

~~—2. High visibility safety yellow must be used for gas distribution and transmission installations, oil distribution and transmission installations and installations containing or transporting dangerous materials, products or steam.~~

~~—3. Safety alert orange must be used for telephone and telegraph installations, police and fire communication installations and cable television installations. The letter “F” in safety alert orange must be used for fiber optic communication lines.~~

~~—4. Safety precaution blue must be used for water installations and slurry pipelines.~~

~~—5. Safety green must be used for sewer installations.]”.~~

Amend the title of the bill by deleting the fifth through seventh lines and inserting:

“requiring an operator who marks the approximate location of a subsurface installation to use the identifying criteria and colors for such markings which are set forth in the regulations of the Public Utilities Commission of Nevada; providing penalties;”.

**If this amendment is adopted, the Legislative
Counsel's Digest will be changed to read as follows:**

Legislative Counsel's Digest:

Existing law sets forth the requirements for marking subsurface installations. A subsurface installation includes a pipeline, conduit, cable, duct, wire, sewer line, storm drain, other drain line or other structure that is located underground. (NRS 455.101) Existing law requires an operator of subsurface installations who marks the location of a subsurface installation to use certain designations and colors for the markings. (NRS 455.133)

This bill requires an operator of subsurface installations to install a permanent device to detect the installation from the ground surface through a noninvasive method under certain circumstances. The permanent device is required on installations placed in the subsurface on or after October 1, 2005. If the subsurface installation is constructed through the use of a material or a conductor capable of being detected from the ground surface, the operator is not required to install a permanent device.

This bill also requires an operator who marks the location of a subsurface installation to use the identifying criteria and colors for such markings which are set forth in regulation by the Public Utilities Commission of Nevada.