

HB 924 -- Damages to Underground Facilities

Sponsor: St. Onge

This bill requires claims for actions involving damages to an underground facility by an excavator to be made within 90 days of the completion of repairs by the owner of the underground facility who has been notified of damage by an excavator and within 180 days after notification by the excavator to the owner of damages to the owner's underground facility. The requirement will not apply if the excavator does not provide proper notification of damages to the underground facility and if repairs cannot be made within 90 days of notification because of regulations or court orders. Owners and excavators may extend the time period for repairs and compensation by written agreement. The repair of underground structures can be separated into temporary repairs and permanent repairs. If temporary repairs are made in the required time periods, compensation for permanent repair costs will not have any time restrictions.

When a claim for damages to an underground facility is delivered to an excavator, it must be paid or disputed by the excavator within 90 days after the receipt of the claim or there will be a rebuttable presumption that the excavator owes the full amount of the claim.