



Legislative FAQ's 2018

When will Tier 2 Members need to start paying for tickets as a Tier 1 Member?

All Tier 2 members who convert to Tier 1 will not be charged outgoing transmission fees until January 1, 2021.

Are there new requirements regarding road grading?

Yes, there are new requirements regarding road grading. The Procedures Committee of Colorado 811 is currently devising specific procedures and guidelines that will be available within the next couple of months. (From law: ANNUAL ROAD MAINTENANCE THAT DOES NOT EXCEED SIX INCHES IN DEPTH CONDUCTED BY A GOVERNMENTAL AGENCY ON AN EXISTING UNPAVED ROAD, THE MARKING SHALL BE CONSIDERED VALID FOR UP TO ONE HUNDRED EIGHTY DAYS.)

Will there be a fee for engineering tickets that is different from the existing fee?

The cost or fee for the outgoing transmission will remain the same for all members. The costs associated with an engineering locate request will be paid by the project owner.

What is ASCE 38 Standard?

ASCE Standards provide technical guidelines for promoting safety, reliability, productivity, and efficiency in civil engineering. For more information please visit <https://www.fhwa.dot.gov/programadmin/asce.cfm>

Who is required to locate laterals in the public right-of-way?

All underground facility owner/operators are responsible for the location of service laterals in the public right-of-way.

What are home rule cities and how are they different?

Home rule cities by the Colorado constitution are cities that have the full right of self-government in local and municipal matters. The larger home rule cities include Denver, Aurora, Pueblo, Colorado Springs, Fort Collins and Grand Junction. Home Rule cities can create their own safety commissions and can enforce the one-call law and imposed penalties for failure to comply with the law.

Can an excavator put another excavator on his/her ticket? How many can you list on one ticket?

Yes, an excavator requiring existing marked underground facilities to be exposed may list a single secondary excavator on its notice to Colorado 811.

Will there be an entity responsible for holding stakeholders accountable under the new law?

Yes, the Colorado Safety Commission will have the responsibility to enforce the provisions of the law related to safe practices. The Safety Commission can impose penalties for failure to comply with the law. Home Rule cities may create a safety commission which also have the power to impose penalties for failure to comply with the law. Facility owners and operators and excavators may bring civil actions for damage claims separate from the actions of the Safety Commission.

How will Colorado 811 provide documentation of the underground facilities in the form of hand written/ digital sketches or photography?

It is Colorado 811's intent to provide the excavator this information through the Positive Response system.

Will Colorado 811 allow an excavator to white-line a job site or provide a map without defining the dig area on the locate ticket?

No, not at this time.

Did the definition for exemptions change under the new law?

Yes, there are several modifications in the new law regarding exemptions they include: farmers/ranchers, governmental agencies relative to road grading and gravity fed systems. Although, these exemptions exist it is extremely dangerous to dig without first notifying Colorado 811 for the location of underground facilities.

What is the significance of defining "gravity-fed systems" in the law? Where is it referenced under the new legislation?

The reason why there is a definition for gravity fed systems in the law is because there is an exemption under the law. The law defining this exemption is located at section 9-1.5-102 (3.4).

Can a member convert from Tier 2 to Tier 1 before Jan, 1, 2019?

Yes, a Tier 2 can convert to Tier 1 before Jan. 1, 2019. Colorado 811 has agreed to the conversion at no charge to allow an appropriate amount of time to accommodate all Tier 2 members.

Will there be a Tier 2 Director on the Board of Directors after the new law is passed?

Yes, there will be a Tier 2 Board of Director until December 31, 2020.

Will Colorado 811 provide data to the Safety Commission on an annual basis?

Yes. Colorado 811 will annually provide a report as well as real time data for the Safety Commission's work related to underground excavations and safety.

What cities are exempt from complying with the new Safety Commission requirements?

Only Home Rule cities are exempt from complying with the Safety Commission requirements but they must create their own safety commissions.

How will licensed professional engineers receive documentation related to Subsurface Utility Engineering Notifications?

Within 10 days of the notice provided, licensed professional engineers will receive documentation directly from the facility owner/operator.