

INDIANA LEGISLATIVE CHANGES AND OTHER ISSUES

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Indiana 811

2009 State Fair

- We need help to man the Indiana 811 booth at the State Fair
- Dates are every day between August 6th and August 22nd
- Participation will help you meet your affected public audience group requirements.

Member Tool Kit

- Available on www.indiana811.org
- Artwork
- News Articles
- Press Releases
- And Many More tools for you to USE!

CGA Pirate Educational Video

- We need your help in distributing the educational video to schools in your area
- Video comes complete with resources for you or the Teacher to conduct the class.
- Schools are another audience group that you are required to have contact with.
- Videos are FREE! We just ask that you help us document where /when they are used.

The Changes in the Law Basically Affects Three Groups

- Excavators (Everyone that digs...)
- Pipeline or Local Distribution Gas Utilities
- Non Member Utilities



Legislative Changes

Changes to the Law

- IC8-1-26-1
 - Old Law exempted all hand excavation from calling
 - New Law has been changed to
 - (1) Excavation that is performed:
 - (A) only with a hand tool;
 - (B) on property owned or controlled by the person performing the excavation; and
 - (C) to a depth not greater than twelve (12) inches.
 - A new exemption was added for probing for gas leaks

Changes to the Law

- IC8-1-26-10
 - Operator Definition; Old Law was not clear as to who had to be a member of Indiana 811 (Home owners could be interpreted as having to be a member)
 - As used in this chapter, "operator" means a person who owns or operates an underground facility, other than an underground facility that:
 - (1) is located on real property that the person owns or occupies; and
 - (2) the person operates for the person's benefits.

Changes to the Law

- New Sections
 - IC8-1-26-11.2 Definition of pipeline Operator
 - IC8-1-26-11.5 Definition of “white Lining”
- IC 8-1-26-15
 - Removed county recorder requirements of Indiana 811
 - Up to \$100 a day Penalty for not being a member of Indiana 811 or maintaining membership after December 31st 2009.

Changes to the Law

- IC-8-1-26-16 Responsibilities of excavator
 - Added the requirement of an excavator to pre-mark the area of their excavation using white lining if they cannot give an accurate description of the work area using one of the following:
 - A street address
 - A legal description of the location
 - A highway location using highway mile markers or cross streets

Changes to the Law

- Adds language to the Law that represents Indiana 811's policy of including not more than 1,500 linear feet on a single locate request within an incorporated area and 2,500 feet in an unincorporated area

Changes to the Law

- Creation of an Advisory Committee consisting of:
 - 1 Member from Indiana 811
 - 1 Member representing investor owned Gas Utilities
 - 1 Member representing Pipeline Operators
 - 1 Member representing Municipal Gas Utilities
 - 2 Members representing commercial excavators
 - 1 Member representing Contract Locators

Changes to the Law

- Advisory Committee may recommend the following:
 - Warning Letters
 - Participation in Education and Training Programs
 - Civil Penalties
- Money from penalties to go into account for training and public awareness activities.

Changes to the Law

Penalties

- Fine for removing a pipeline marker up to \$10,000
- Fine for damaging a pipeline facility up to \$10,000
- Fine for a Natural Gas or Pipeline to not accurately mark their facilities up to \$1,000
- Fine for removing or altering a locate mark (for all utilities) up to \$10,000

Changes to the Law

- Fine for calling in a false emergency up to \$1,000
- Only type of locate requests accepted at Indiana 811 are Emergency or 2 full working days notice tickets.
- Poor planning does not constitute an Emergency.

Questions?



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