

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 619

Introduced by Sanders, 45.

Read first time January 20, 2021

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to the One-Call Notification System Act; to
2 amend section 76-2308, Reissue Revised Statutes of Nebraska, and
3 section 76-2320.02, Revised Statutes Cumulative Supplement, 2020; to
4 redefine a term; to provide minimum depth requirements for certain
5 underground facility installations; and to repeal the original
6 sections.

7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 76-2308, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 76-2308 Excavation shall mean any activity in which earth, rock, or
4 other material in or on the ground is moved or otherwise displaced by
5 means of tools, equipment, or explosives and shall include grading,
6 trenching, digging, ditching, drilling, augering, tunneling, scraping,
7 and cable or pipe plowing or driving but shall not include (1) normal
8 maintenance of roads if the maintenance does not change the original road
9 grade and does not involve the road ditch, (2) tilling of soil and
10 gardening for seeding and other agricultural purposes, (3) digging of
11 graves or in landfills in planned locations, (4) maintenance or
12 rebuilding of railroad track or facilities located on a railroad right-
13 of-way by the railroad company or its contractors when such maintenance
14 or rebuilding does not change the track grade, ~~or~~ (5) hand digging around
15 the base of a pole for pole inspection as part of routine maintenance or
16 replacement of a pole when the replacement pole is similarly sized and is
17 installed in the existing hole, or (6) fine grading of lots used for
18 single-family residential property construction.

19 Sec. 2. Section 76-2320.02, Revised Statutes Cumulative Supplement,
20 2020, is amended to read:

21 76-2320.02 Notwithstanding any other provision of the One-Call
22 Notification System Act; ~~7~~

23 (1) Any any plastic or nonmetallic underground facilities installed
24 underground on or after January 1, 2021, shall be installed in such a
25 manner as to be locatable, either by mapping or by use of tracer wire, by
26 the operator for purposes of the act; and ~~7~~

27 (2) Any underground facilities installed after January 1, 2022,
28 shall be installed at the following minimum depths:

29 (a) Thirty-six inches for electric energy underground facilities;

30 (b) Twenty-four inches for oil, gas, or hazardous liquids
31 underground facilities; and

1 (c) Eighteen inches for electronic communications, telephonic
2 communications, telegraphic communications, or cable television
3 underground facilities, including, but not limited to, fiber optic
4 cables.

5 Sec. 3. Original section 76-2308, Reissue Revised Statutes of
6 Nebraska, and section 76-2320.02, Revised Statutes Cumulative Supplement,
7 2020, are repealed.