

making an excavation at times of emergency involving danger to life, health or property, provided all reasonable precautions have been taken to protect the underground facilities.]

~~(G)~~ (K) (1) AFTER AN OWNER HAS MARKED ITS UNDERGROUND FACILITY IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTION (C) OF THIS SECTION, THE PERSON OR CONTRACTOR IS SOLELY RESPONSIBLE FOR THE MAINTENANCE OF A DESIGNATED MARKER.

(2) IF A ~~MARKING~~ MARKER IS OBLITERATED, DESTROYED, OR REMOVED, THE OWNER SHALL REMARK THE LOCATION OF ITS FACILITY NOT MORE THAN 24 HOURS 48 HOURS (EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS) AFTER RECEIPT OF A REQUEST TO REMARK THE LOCATION.

(L) A POLITICAL SUBDIVISION OR MUNICIPALITY MAY CHARGE, ASSESS, OR COLLECT FROM A CONTRACTOR A FEE FOR REIMBURSEMENT OF ANY EXPENSE WHICH THE POLITICAL SUBDIVISION OR MUNICIPALITY INCURS BY REASON OF COMPLIANCE WITH THE PROVISIONS OF THIS SECTION.

~~(H)~~ (M) (1) A PERSON OR CONTRACTOR WHO PERFORMS AN EMERGENCY EXCAVATION INVOLVING DANGER TO LIFE, HEALTH, OR PROPERTY SHALL:

~~(I) TAKE ALL NECESSARY AND REASONABLE PRECAUTIONS TO AVOID OR MINIMIZE INTERFERENCE WITH OR DAMAGE TO AN EXISTING UNDERGROUND FACILITY IN AND NEAR THE EXCAVATION AREA; AND~~

~~(II) NOTIFY THE OWNER OF THE UNDERGROUND FACILITY PROMPTLY.~~

~~(2) IN THE CASE OF AN EMERGENCY EXCAVATION, THE PROVISIONS OF SUBSECTIONS (E) AND (F) OF THIS SECTION DO NOT APPLY.~~

(I) TAKE ALL REASONABLE PRECAUTIONS TO PROTECT UNDERGROUND FACILITIES IN AND NEAR THE EXCAVATION AREA; AND

(II) NOTIFY THE OWNER OF THE UNDERGROUND FACILITY PROMPTLY.

(2) IN CASE OF AN EMERGENCY EXCAVATION INVOLVING DANGER TO LIFE, HEALTH, OR PROPERTY, EXCEPT FOR SUBSECTION (H) OF THIS SECTION, THE PROVISIONS OF SUBSECTIONS (C) THROUGH (L) OF THIS SECTION SHALL NOT APPLY PROVIDED ALL REASONABLE PRECAUTIONS HAVE BEEN TAKEN TO PROTECT UNDERGROUND FACILITIES.

SECTION 2. AND BE IT FURTHER ENACTED, That the provision of this