

VETOES

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.

~~(J)~~ (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 INVOLVING DANGER TO LIFE, HEALTH, OR PROPERTY, THE PROVISIONS OF THIS SECTION, WITH THE EXCEPTION OF (J), SHALL NOT APPLY, PROVIDED ALL REASONABLE PRECAUTIONS HAVE BEEN TAKEN TO PROTECT UNDERGROUND FACILITIES.~~

(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 Act requiring that the location of an underground facility be marked within 24 inches on a horizontal plane on either side of the facility shall be effective for two years from the effective date of this Act, and thereafter shall be reduced to 18 inches. If prior to December 31, 1992, cause is shown and a final order is issued in a proceeding to be conducted by the Public Service Commission by July 1, 1992 that the 24-inch measurement should be retained then, in such event, the 24-inch measurement shall remain in effect.

SECTION 3. AND BE IT FURTHER ENACTED, That the provisions of this