

[(c)] (D) A person shall exercise due care to avoid interference with or damage to an underground facility that an owner has marked in accordance with § 12-110 of this subtitle.

[(d)] (E) The person performing an excavation or demolition immediately shall notify the owner of the facility if the person discovers or causes any damage to or dislocation or disturbance of an underground facility in connection with any excavation or demolition.

#### 12-110.

(a) An owner shall mark the location of an underground facility within 18 inches on a horizontal plane on either side of the underground facility if the owner has determined under § 12-109 of this subtitle that a proposed excavation or demolition:

- (1) is within 5 feet of the horizontal plane of the underground facility; or
- (2) because of planned blasting, is in such proximity to an underground facility that the underground facility may be damaged or disturbed.

(b) Excluding Saturdays, Sundays, and legal holidays, if an owner cannot complete the marking under subsection (a) of this section within 48 hours after a determination under § 12-109 of this subtitle, the owner shall notify the person of the date and time when the location will be marked.

(c) When marking the location of an underground facility, an owner shall use the following color code:

#### UTILITY TYPE AND PRODUCT

#### SPECIFIC GROUP IDENTIFYING COLOR

Electric power distribution and transmission	safety red
Municipal electric systems	safety red
Gas distribution and transmission	high visibility safety yellow
Oil distribution and transmission	high visibility safety yellow
Dangerous materials, product lines, and steam lines	high visibility safety yellow
Telephone and telecommunications	safety alert orange
Cable television	safety alert orange
Water systems	safety precaution blue
Sewer lines	safety green.

(d) Excluding Saturdays, Sundays, and legal holidays, within 48 hours after receiving notice from a person under § 12-108 of this subtitle, an owner shall notify the person that marking is unnecessary if the owner determines that:

- (1) the owner does not have an underground facility at the location stated in the notice;
- (2) the proposed excavation or demolition is not planned within 5 feet of the horizontal plane of an underground facility; or