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Introduction:

The Board Members of Utilities Service Protection Center of Delmarva (USPCD), also known as, Delmarva811, formerly Miss Utility of Delmarva propose revisions to Delaware Law, Title 26, Chapter 8, Underground Utility Damage Prevention and Safety. The proposed revised law is available for review and comment on our website, www.delmarva811.com. We welcome comments to be directed to jlyon@dover.de.us by October 1, 2024. The genesis of this proposed law change is to bring certain definitions up to national standards and align certain requirements to industry standards. Below is a general list of proposed changes:

- Section 802, definitions have been overhauled to align with national standards. It should be noted that some definitions have been removed, because they are no longer applicable in today's construction environment.
- A 'Positive Response' will now be required prior to an excavator starting their work. This will require the excavator to receive a specific code from the excavation ticket.
- The Facility Owner / Operator shall provide the approximate location and type of the facility in the proposed construction scope not more than 3 business days after receipt of such requests.
- The Facility Owner / Operator shall respond to requests from Designers within fifteen (15) business days of receipt of the request.
- The ticket life will expire after 12 business days after submission of the ticket request.
- The location of an excavation ticket shall have a maximum length of 1,320 continuous feet.
- If visible and obvious evidence of the presence of an unmarked facility does exist, the excavator shall contact the approved notification center to alert the utility that there is a facility present.
- Civil penalties have increased from the maximum of \$500 to \$1,000 on the first offense. Subsequent offense penalties have increased from maximum of \$1,000 to \$5,000.

Our team looks forward to working with all stakeholders in this industry to update the current law.