

HOUSE BILL REPORT

HB 1064

As Passed Legislature

Title: An act relating to removing expiration dates, obsolete dates, and an outdated statutory reference from the enforcement provisions of the underground utility damage prevention act.

Brief Description: Removing expiration dates, obsolete dates, and an outdated statutory reference from the enforcement provisions of the underground utility damage prevention act.

Sponsors: Representatives Morris, Smith, Doglio and Hudgins; by request of Utilities & Transportation Commission.

Brief History:

Committee Activity:

Technology & Economic Development: 1/12/17, 1/19/17 [DP].

Floor Activity:

Passed House: 2/1/17, 97-0.

Passed Senate: 4/7/17, 47-0.

Passed Legislature.

Brief Summary of Bill

- Removes certain obsolete implementation dates under the Underground Utility Damage Prevention Act.
- Removes the December 31, 2020, expiration date for certain requirements and responsibilities of the Utilities and Transportation Commission and the contracting entity serving as the one-number locator service under the Underground Utility Damage Prevention Act.
- Removes a reference to a repealed chapter of the Revised Code of Washington.

HOUSE COMMITTEE ON TECHNOLOGY & ECONOMIC DEVELOPMENT

Majority Report: Do pass. Signed by 15 members: Representatives Morris, Chair; Kloba, Vice Chair; Tarleton, Vice Chair; Smith, Ranking Minority Member; DeBolt, Assistant Ranking Minority Member; Doglio, Fey, Harmsworth, Hudgins, Manweller, McDonald, Nealey, Santos, Slatter and Steele.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Staff: Nikkole Hughes (786-7156).

Background:

The Utilities and Transportation Commission.

The Utilities and Transportation Commission (UTC) regulates the rates, services, and practices of privately-owned utilities and transportation companies in Washington, including natural gas and electrical companies. The UTC is also responsible for developing and enforcing safety standards for natural gas and hazardous liquid pipelines located within the state. The UTC inspects the portions of interstate natural gas and hazardous liquid pipelines located within the state, while the federal Pipeline and Hazardous Materials Safety Administration is responsible for interstate pipeline safety standards and enforcement actions.

The Underground Utility Damage Prevention Act.

The Underground Utility Damage Prevention Act (Damage Prevention Act), also referred to as the "Call Before You Dig Law," governs safe excavation practices near underground utility facilities, including natural gas and hazardous liquid pipelines. All underground facility operators must subscribe to the state's one-number locator service, through which an excavator may notify utilities of excavation activities and request field-marking of underground facilities.

Certain requirements under the Damage Prevention Act went into effect by January 1, 2013, and are set to expire December 31, 2020, including the following:

- the requirement of the UTC to contract with a statewide nonprofit entity to establish the state's one-number locator service; and
- the requirement of the contracting entity to create a safety committee to, among other responsibilities, review complaints alleging violations of the Damage Prevention Act.

Until December 31, 2020, the UTC may investigate violations of, and enforce civil penalties authorized under, the Damage Prevention Act.

Summary of Bill:

The implementation date of January 1, 2013, and the expiration date of December 31, 2020, for certain requirements under the Damage Prevention Act are removed. An internal reference to a repealed chapter of the Revised Code of Washington relating to personal service contracts is removed.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill removes an expiration date, which was included in the law enacting the state's underground facility safety program, in order to review it before it goes into effect in perpetuity. The program has succeeded in improving communication between excavators and facility operators. In addition to continuing certain requirements of the underground facility safety program itself, this bill ensures that the state will continue to maintain authority over, and receive federal funding, for the program.

(Opposed) None.

Persons Testifying: Representative Morris, prime sponsor; Lauren McCloy, Washington Utilities and Transportation Commission; Juliana Williams, Citizen's Committee on Pipeline Safety; and David Christensen, City of Renton.

Persons Signed In To Testify But Not Testifying: None.