



Ohio Revised Code

Section 3781.29 Marking location of facilities or give notice of no facilities at site.

Effective: October 3, 2023

Legislation: House Bill 33

(A)(1) Except as otherwise provided in division (A)(2) of this section, within forty-eight hours of receiving notice under section 3781.28 of the Revised Code, each utility shall review the status of its facilities within the excavation site, locate and mark its underground utility facilities at the excavation site in such a manner as to indicate their course, and report the appropriate information to the protection service for its positive response system. If a utility does not mark its underground utility facilities or contact the excavator within that time, the utility is deemed to have given notice that it does not have any facilities at the excavation site. If the utility cannot accurately mark the facilities, the utility shall mark them to the best of its ability, notify the excavator using the positive response system that the markings may not be accurate, and provide additional guidance to the excavator in locating the facilities as needed during the excavation.

(2) In the case of an interstate hazardous liquids pipeline or an interstate gas pipeline, the owner of the pipeline shall locate and mark its pipeline within the time frame established in the public safety program of the owner.

(B) Unless a facility actually is uncovered or probed by the utility or excavator, any indications of the depth of the facility shall be treated as estimates only. (C)(1) Except as provided in division (C)(2) of this section, a utility shall mark its underground facilities using the following color codes:

<cp-base>Type of Underground Utility Facility</cp-base>	<cp-base>Color</cp-base>
<cp-base>Electric power transmission and distribution </cp-base>	<cp-base>Safety red</cp-base>
<cp-base>Gas transmission and distribution</cp-base>	<cp-base>High visibility safety yellow</cp-base>
<cp-base>Oil transmission and distribution</cp-base>	<cp-base>High visibility safety yellow</cp-base>
<cp-base>Dangerous materials, product lines, and steam lines</cp-base>	<cp-base>High visibility safety yellow</cp-base>



<cp-base>Telephone systems</cp-base>	<cp-base>Safety alert orange</cp-base>
<cp-base>Police and fire communications</cp-base>	<cp-base>Safety alert orange</cp-base>
<cp-base>Cable television</cp-base>	<cp-base>Safety alert orange</cp-base>
<cp-base>Water systems</cp-base>	<cp-base>Safety precaution blue</cp-base>
<cp-base>Slurry systems</cp-base>	<cp-base>Safety precaution purple</cp-base>
<cp-base>Sewer lines</cp-base>	<cp-base>Safety green.</cp-base>

(2) All underground facilities shall be marked in accordance with the Ohio universal marking standards that are on file with the Ohio utilities protection service. Industry representatives serving on Ohio damage prevention councils shall review the marking standards every two years.

(D) Except as otherwise provided in divisions (E) and (F) of this section, prior to notifying a protection service of the proposed excavation, an excavator shall define and premark the approximate location. Proposed construction or excavation markings shall be made in white through the use of an industry-recognized method such as chalk-based paint, flags, stakes, or other method applicable to the specific site and when possible shall indicate the excavator's identity by name, abbreviation, or initial.

(E)(1) Before beginning an emergency excavation, or as soon as possible thereafter, an excavator shall make every effort to notify a protection service of the excavation. In providing notification, the excavator shall provide, at a minimum:

- (a) The name of the individual notifying the protection service;
- (b) The name, address, any electronic mail address, and telephone numbers of the excavator;
- (c) The specific location of the excavation site;
- (d) A description of the excavation.

(2) Upon receiving the information set forth in division (E)(1) of this section, the protection service shall provide the excavator with a reference number and a list of utilities that the protection service intends to notify. The protection service shall immediately notify each utility that according to the



registration information provided under section 3781.26 of the Revised Code has facilities located within the designated area of the emergency excavation.

(3) Any utility notified of an emergency excavation may inspect all of its underground utility facilities located at the emergency excavation site and may take any otherwise lawful action it considers necessary to prevent disturbance to or interference with its facilities during excavation.

(F) An excavator is not required to premark the approximate location of an excavation as provided in division (D) of this section in any of the following situations:

(1) The utility can determine the precise location, direction, size, and length of the proposed excavation site by referring to the notification provided by the protection service pursuant to sections 3781.27 and 3781.28 of the Revised Code.

(2) The excavator and the affected utility have had an on-site, preconstruction meeting for the purpose of premarking the excavation site.

(3) The excavation involves replacing a pole that is within five feet of the location of an existing pole.

(4) Premarking by the excavator would clearly interfere with pedestrian or vehicular traffic control.