

Sixty-fourth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2147

Introduced by

Senators Rust, Burckhard, Warner

Representatives B. Anderson, Froseth, Onstad

1 A BILL for an Act to amend and reenact subdivision i of subsection 1 and subdivision h of
2 subsection 3 of section 49-23-04 of the North Dakota Century Code, relating to the one-call
3 excavation notice system.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subdivision i of subsection 1 of section 49-23-04 of the North
6 Dakota Century Code is amended and reenacted as follows:

7 i. A request for location is limited to the area ~~to that may be~~ reasonably excavated
8 during the twenty-one-day period following the location request.

9 **SECTION 2. AMENDMENT.** Subdivision h of subsection 3 of section 49-23-04 of the North
10 Dakota Century Code is amended and reenacted as follows:

11 h. If excavation has not occurred within the initial twenty-one days of the locate, the
12 excavator shall request that the facility be relocated before excavating unless
13 other arrangements have been made with the underground facility owner. Upon
14 the third locate request at the same excavation site ~~where no excavation has~~
15 ~~occurred~~ after the initial two locates, the excavator is responsible for reasonable
16 costs associated with relocating facilities in that location.