House Bill 1634, sponsored by Rep. Takko, is a much needed improvement to our statutes governing safe digging practices. The product of 2 years of stakeholder efforts, E2SHB 1634 passed the House with 93 votes and will improve communication in the field between the operators of underground utilities and excavators in the following ways:

- Requires excavators to clearly mark the area of excavation with white paint before calling for utility locates;
- Establishes expiration dates for field markings of utilities;
- Clarifies the responsibility to mark underground utilities whose location is in doubt;
- Defines large projects and the steps necessary to make sure facility operators can focus their efforts on the location where excavation will occur;
- Establishes that certain emergency procedures are not subject to the mandatory wait-time in the current law;
- Requires the operator of a previously unlocatable facility to take steps while the facility is exposed so that it can be located accurately in the future;
- Protects transmission pipelines by requiring notification of projects near the right-of-way as part of the building permit process;
- Requires all damages to be reported to a central database so that education efforts can be targeted precisely;
- Establishes an industry “safety committee” to review possible violations of the law and recommend enforcement actions;
- Identifies an agency responsible for enforcing the penalties in the law;
- Increases penalties for repeat violations;
- Dedicates fine money to educational efforts to improve safety;
- Corrects ambiguous definitions in the existing law.

The bill has a January 1st, 2013 effective date to provide time to educate excavators, facility operators and the public before the new requirements go into effect. The bill is also a necessary step to meet the new federal expectations for state damage prevention programs as outlined in the PIPES Act of 2006, and has the potential to increase federal funding for our pipeline safety programs at the Utilities and Transportation Commission.

Please vote “Yes” on E2SHB 1634!

For more information, please contact Brad Tower, (360) 402-6900 or bhtower@towerltd.org