



Legislative  
Council Staff

*Nonpartisan Services for Colorado's Legislature*

HB 20-1173

# FINAL FISCAL NOTE

<b>Drafting Number:</b>	LLS 20-0750	<b>Date:</b>	July 10, 2020
<b>Prime Sponsors:</b>	Rep. Saine; Baisley Sen. Smallwood; Winter	<b>Bill Status:</b>	Postponed Indefinitely
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**Bill Topic:** 811 LOCATE EXEMPTION FOR COUNTY ROAD MAINTENANCE

**Summary of Fiscal Impact:**

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill would have exempted counties from excavation notification requirements for routine or emergency maintenance of right-of-ways on county-owned gravel or dirt roads. The bill would have decreased county workload on an ongoing basis.

**Appropriation Summary:** No appropriation is required.

**Fiscal Note Status:** The fiscal note reflects the introduced bill. This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

## Summary of Legislation

Under current law, counties must notify the statewide notification association of all owners and operators of underground facilities (Colorado 811) of routine or emergency maintenance of right-of-ways on county-owned dirt roads. The bill exempts counties from excavation notification requirements for routine or emergency maintenance of right-of-way on county-owned gravel or dirt roads. In order to be exempt from notification requirements, the county's routine or emergency maintenance may not lower the existing grade or elevation of the road, shoulder, and ditches, and does not disturb more than six inches in depth during the excavation operations.

## Background

The Utility Notification Center of Colorado, or Colorado 811, is a statutory public entity authorized to operate as the statewide, one-call system for locating underground facilities. The organization also promotes statewide public safety awareness, damage prevention programs, and other educational services. In addition, the Underground Damage Prevention Safety Commission in the Department of Labor and Employment advises stakeholders on best practices and safety-enhancement policies, and review complaints alleging violations of the state's excavation laws. The commission consists of 15 Governor-appointed members, including members of local governments, energy producers, contractors, excavators, engineers, investor-owned utilities, rural electric cooperatives, pipeline companies, telecommunications and broadband companies, water utilities, transportation, and farming and ranching

**Local Government**

The bill may decrease costs and workload for counties that perform routine or emergency maintenance of right-of-ways on county-owned gravel or dirt roads. These impacts will vary by county and have not been estimated.

**Effective Date**

The bill was postponed indefinitely by the Senate Transportation and Energy Committee on May 26, 2020.

**State and Local Government Contacts**

Counties  
Law  
Transportation

Information Technology  
Municipalities

Labor  
Regulatory Agencies