

OUDDPC 48 Hour Waiting Period Discussion Group

Conference Call 6/10/19

Call Participants: Johnnie Henson, Mitchell Croy, Mary So, Josh Motzer, Mark Ritter, Joe Marinello, Joe Igel, Jeff Kursman, Alice Miller, and Gilan Emam

Once again, there was consensus amongst participants that adjusting current Ohio Revised Code language, and thereby providing utilities with two full working days to locate their facilities after the date of call or ticket entry, would allow for better scheduling, enhanced locating and positive response completion, and safer excavations.

Joe Igel opened the discussion, identifying strong opposition within some segments of the excavator community, but with hope that opponents could be moved to support the change. The group discussed whether there were alternate options, but everyone agreed that obtaining agreement for a 72 hour ticket is less feasible.

The group talked about the positive impact for scheduling by the locator community and in many cases, a minimal or non-impactful disruption of current scheduling of excavator crews. (Ex: Today, if a contractor calls in a ticket at 11:00am on a Monday, they often don't schedule crews for partial days, commencing excavation Thursday morning, even though marking/positive response should have been completed at 11:00am on Wednesday) All you're losing/gaining is the remaining hours on the day the ticket is created.

Concerns were expressed that opponents, while accurate, are presenting a theoretical worst case 6 or 7 day scenario of a ticket called in at 7:00am on a Friday, prior to a holiday weekend, to exemplify an example where the marking/positive response wouldn't be due until midnight Wednesday and frighten contractors. Opponents are promoting misconceptions and not sharing that under current ORC, the response for such a ticket wouldn't be due until Wednesday at 7:00 am.

The group feels the need to address misconceptions, dispel rumors and engage with opponents to understand what it would take/what legislative trades could be brokered with the contractor community to strike a deal. Locations would need to be more timely, but additional penalties for late locates were not supported and the UTC already has the power to enforce. Would meaningful progress on expiration dates for markings or addressing Abandoned Lines move the position within the excavation community?

Recommended Next Steps:

1. Alice Miller to redistribute proposed language to the group for consideration.
2. Create a side-by-side comparison with examples of the current vs. proposed waiting periods to address misconceptions.
3. Mary So would develop an article with the comparisons for her next contractor newsletter.
4. Generate information sharing to promote the dispelling of rumors at DPC/UCC meetings.
5. Explore possibility of trade-offs like progress on Abandoned Lines.
6. Have a sit-down with OCA and other opponents prior to the September OUDDPC meeting.

Additional item for discussion:

- The September 4th date of the next OUDDPC meeting conflicts with first day of the Ohio Chamber of Commerce's annual Legislative Retreat at Salt Fork.