



May 14, 2025
The Honorable Mark Johnson
Chair, Labor and Commerce Committee
Ohio House of Representatives
1 Capital Square
Columbus, Ohio 43215-4275

Re: Proponent Testimony- HB 227 (Rep Blasdel and Rep Johnson)

Chair Johnson, Vice Chair Lear, Ranking Member McNally, and Members of the Committee,

My name is Jason Broyles and, as the Public Awareness and Services Supervisor of the Ohio Utilities Protection Service (OHIO811), I am thankful for the opportunity to speak with you and to provide Proponent testimony regarding HB227.

OHIO811 is a not-for-profit organization that has been serving the citizens of Ohio since 1972. We serve as the vital communications link between those who have a need to excavate and those who own, operate and maintain the essential underground utility infrastructure Ohio relies on. OHIO811's mission is one of public safety, helping to protect Ohio's 11.8 million residents, their communities and the environment through an efficient and effective stakeholder communication and education process.

OHIO811's stakeholder representation consists of public and private utility companies, municipal and governmental entities, utility cooperatives, excavators, commercial contractors, engineering and design firms, higher education institutions and other industry related entities that operate on a local, state, or national level.

Through broad-based public awareness, and outreach initiatives, OHIO811 endeavors to promote understanding and foster cooperation amongst all stakeholders. Our efforts provide Ohioans a safer place to live and work, as it relates to the essential utility infrastructure that is all around us.

In reviewing HB227, we wanted to take the opportunity to speak about the importance of the changes being considered.

Currently, under ORC 3781.28(A) excavators are required to notify OHIO811 of planned excavations at least 48 hours but not more than 10 working days before commencing excavation. HB227 changes these requirements from 48 hours to two working days, not including the day of the call and the ten working days to sixteen calendar days, allowing the utilities adequate time to respond to the request for the utilities to be marked. This will have a positive impact for the industry by increasing efficiency, preventing damages to the underground utility infrastructure, protecting the environment, and creating safer communities.

Additionally, HB 227 redefines the definition of excavation. Currently, under ORC 3781.25(I), "Excavation" excludes any activity by a governmental entity which does not penetrate the earth to a

depth of more than twelve inches.” HB227 would remove this blanket exemption for an entity in favor of a list of exempted activities that are common excavation practices actively being utilized throughout the industry and are widely considered as low-risk excavations. The low-risk activities exempted by HB227 are all less than 12” in depth.

This change in language would once again allow Ohio to be eligible for federal grant dollars administered through the Pipeline and Hazardous Materials Safety Administration (PHMSA). These grant dollars would support continued excavation safety education and public awareness messaging throughout Ohio.

Lastly, HB227 removes all references to Limited Basis Participants (LBPs). When HB458 of the 129th General Assembly was passed, *ORC 3781.271* mandated “each protection service shall reasonably modify its one-call notification system so as to permit the reasonable identification of the location of a proposed excavation site in a manner in which the protection service may then notify any potentially affected limited basis participants.” This language essentially removed the need for Limited Basis Participants as the requirement to directly notify all utility members was set. It is important to remove the irrelevant language that dealt with LBPs, to adequately reflect the actual process that is currently in place.

We appreciate the opportunity to provide proponent testimony to the Committee regarding the importance of provisions contained in HB227. The industry remains focused on developing and promoting safe excavation practices that protect Ohio’s essential underground utility infrastructure, and its 11.8 million citizens call this great state home. Thank you for your continued support for a safer Ohio.

At this time, I would be happy to answer any questions that the committee may have.

The OHIO811 mission is to serve the customers’ needs by providing a quality one call process to: protect the public; protect the underground infrastructure; protect the environment. www.OHIO811.org