

**RULES
OF
THE UNDERGROUND UTILITY DAMAGE ENFORCEMENT BOARD**

**CHAPTER 1230-01-03
REGULATIONS FOR UTILITY LOCATION AND EXCAVATION**

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1230-01-03-.01 WHITE LINING STANDARDS.

- (1) As required by T.C.A. § 65-31-106(b), the location of a proposed excavation or demolition shall be designated by marking such area with “safety white” color-coded stakes or paint, unless:
 - (a) The precise location of the proposed area can be ascertained by the operator or its agent based solely upon the street address from a one-call service locate ticket;
 - (b) The precise location of the proposed area can be ascertained by the operator or its agent from a one-call service location ticket that references a driveway or other easily identifiable point on the identified property;
 - (c) The precise location of the proposed area can be ascertained by the operator or its agent from a one-call service location ticket that identifies the property as being located on a street or road between two designed intersections of the street or road and two cross streets or roads; or
 - (d) The person responsible for excavation or demolition and all operators with underground facilities in the proposed area of excavation have had a meeting prior to the commencement of excavation or demolition for the exchange of information on the location of the proposed area.
- (2) Where the proposed area described in the one-call service location ticket is not consistent with, or is in contradiction to, the area designated by white line markings, the operator shall mark the area described in the one-call service location ticket, or if deemed necessary, contact the person responsible for the excavation or demolition to resolve such conflict or contradiction.

Authority: T.C.A. §§ 65-31-106(b) and 65-31-115(a)(1). **Administrative History:** New rules filed June 8, 2021; effective September 6, 2021.

1230-01-03-.02 MARKING STANDARDS.

- (1) The Board hereby adopts the Uniform Color Code and Marking Guidelines as found in Common Ground Alliance, *Best Practices: The Definitive Guide for Underground Safety and Damage Prevention*, Ch. 4, Locating and Marking, and Appx. B (Ver. 17.0, March 2020), as may be amended from time to time, and incorporates such standards as if stated herein verbatim.
- (2) No local, county, or municipal governing body shall adopt, by resolution or ordinance, any color code and/or marking guidelines that are contrary to T.C.A. § 65-31-108 or this rule.
- (3) An operator is not required to mark a Private Service Line. The marking of a Private Service Line is the responsibility of the person who owns the Private Service Line, who shall bear any expense for marking the Private Service Line.

(Rule 1230-01-03-.02, continued)

Authority: T.C.A. §§ 65-31-108(a) and 65-31-115(a)(1). **Administrative History:** New rules filed June 8, 2021; effective September 6, 2021.

1230-01-03-.03 EXERCISE OF REASONABLE CARE IN EXCAVATION PRACTICES.

- (1) An excavator shall exercise reasonable care to avoid damage caused by an excavation or demolition within the safety zone.
- (2) In the exercise of reasonable care, an excavator shall take actions, which shall include, but are not limited to:
 - (a) Planning excavation or demolition to avoid damage to and minimize interference with underground utilities in and near the excavation area;
 - (b) Maintaining a clearance between the underground utility and the cutting edge or point of any mechanized equipment, taking into account the known limit of control of such cutting edge or point, as may be reasonably necessary to avoid damage to such utility;
 - (c) Providing such support and protection for underground utilities in and near the construction area, including during backfill operations, as may be reasonably necessary for the protection of such utilities; and
 - (d) Installing each utility, regardless of the use or material, with sufficient clearance to permit the maintenance of existing utilities and to protect against damage to existing utilities.
- (3) In performing trenchless excavation or boring, reasonable care shall include, but is not limited to:
 - (a) Visually inspecting the planned excavation path for structures indicating the presence of underground utilities;
 - (b) When possible, contacting utility company directly and review maps or drawings to verify underground utility locations;
 - (c) Reviewing surface markings and compare to other information to identify any unmarked or mis-marked utility;
 - (d) Hand digging test holes or “pothole” and use other safety precautions to identify the location and depth of utilities in the drill path; and
 - (e) Drilling at a pace that is slow enough to permit tracking device(s) to detect drill line deflections or large obstructions.
- (4) The Board further adopts the best practices for excavation as stated in Common Ground Alliance, *Best Practices: The Definitive Guide for Underground Safety and Damage Prevention*, Ch. 5, Excavation, and Appx. D (Ver. 17.0, March 2020), as may be amended from time to time, and incorporates such standards as if stated herein verbatim; provided, however, that the Common Ground Alliance Best Practices shall be read in conjunction with Tennessee law and United States law. Where the Common Ground Alliance Best Practices conflicts with state or federal law, the state or federal law shall serve as the controlling authority.

Authority: T.C.A. §§ 65-31-108, 65-31-110, and 65-31-115(a)(1). **Administrative History:** New rules filed June 8, 2021; effective September 6, 2021.