

§ 12-121. Emergency excavation or demolition

(a) In general. -- Subject to § 12-120(b) of this subtitle, if all reasonable precautions have been taken to protect underground facilities, § 12-120(a) of this subtitle and §§ 12-122 through 12-135 of this subtitle do not apply to an emergency excavation or demolition being performed to prevent danger to life, health, or property.

(b) Requirements. -- A person performing an emergency excavation or demolition **that necessitates immediate action as defined in § 12-101 of this subtitle in order** to prevent danger to life, health, or property, shall:

(1) take all reasonable precautions to protect underground facilities in and near the excavation or demolition area; and

(2) immediately notify the one-call system serving the geographic area where the emergency excavation or demolition is performed to inform the appropriate owner-members of the excavation or demolition area.

(i) the location and extent of work as referenced in § 12-124(b)(1) shall be clear and concise.

(3) (i) the owner-member shall respond to an emergency notice as soon as possible but no later than three hours from the transmission of the ticket from the One-Call Center.

(ii) the excavator shall be on site or in communication with the owner-member or their representative within 3 hours of notification or a mutually agreed upon time.

(iii) the owner-member shall respond to the Underground Facilities Information Exchange System as soon as the "Extent of Work" as referenced in § 12-124(b)(1) of this subtitle is marked or it is determined that no underground facilities are in the delineated area.

(c) the life of an emergency ticket shall not exceed 24 hours from the time of the one-call system notification.

(1) should the emergency repair exceed the life of the emergency ticket, said ticket may be extended daily until the emergency is abated.

(i) once the emergency is abated any additional work at the delineated location will require a new standard ticket as described in §12-124 (c)(3) of this subtitle.

(d) violations; penalties. -- any person that files an Emergency Ticket that does not meet the definition of emergency as defined in §12-101 of this subtitle shall be subject to penalties under §12-135 of this subtitle.

(1) an abuse of the Emergency Ticket status for any reason, shall result in a fine of \$5,000.

(i) the fine does not apply to the owner member or their representative responding to the emergency ticket.

Note: reference "Clear and Concise" marking instructions in §12-124(b)(1)