



FACT SHEET // HB21-1095

County Road Maintenance and 811 Locate Requirements

Currently in Colorado, county road and bridge departments must call Colorado 811 to request underground utility locates prior to conducting **any and all** roadwork excavation activities – even simple grading operations. Roadway grading utility locates are good for 180 days, although oftentimes the physical locates themselves are short-lived due to weather, traffic or the very grading activities themselves and are no longer effective. There have also been numerous instances of utilities not responding to locate requests in a timely fashion, thereby hindering the ability of county road crews to protect public safety through timely road grading. In addition to the 180-day grading ticket, counties are required to call Colorado 811 and request roadway specific locates if the shoulders or ditches will be cleaned.

Legislation passed in the 2021 session will have a significant impact on the ability of county road and bridge departments to regularly maintain the more than 100,000 miles of unpaved roads in our state. Beginning in **June of 2022**, HB21-1095 allows county road and bridge personnel to conduct maintenance grading activities without having to first call Colorado 811 for utility locates, **provided that the maintenance activities do not lower the existing elevation of the road or ditch flowline or disturb more than a depth of six inches of material within the right-of-way.** This provision applies to the roadway, the shoulders and the adjacent borrow ditches.

This legislation was the result of a hard-fought compromise between CCI, CARSE, Colorado 811, PUC – Pipeline Safety Division, the Colorado Contractors Association and Xcel Energy. Twenty-eight other states have a similar provision in law for county road maintenance activities and have remained PHMSA compliant, as will Colorado. This provision does not apply to contractors who are grading county roads – it only applies to county road and bridge personnel performing routine grading operations. Counties will continue to be required to call Colorado 811 to request underground utility locates for activities such as road construction/reconstruction, culvert installation, sign installation, guardrail installation, tree planting, etc.

Road and bridge supervisors and personnel are reminded that until June of 2022 ALL road grading activities require, at a minimum, a 180-day road grading locate request and any other road maintenance or construction activities that go deeper than six inches or lower the existing elevation of a road will still require a standard formal 30-day locate request by the county to Colorado 811. On June 1, 2022, the 180-day provision will be eliminated (per HB21-1095).

Please be safe and remain compliant with current Colorado law.

Questions? Please call Eric Bergman at 303.915.2909 or Dale Miller at 970.215.9887