

(8) Upon request, the department shall provide information regarding the location of fatal traffic accidents within the demonstration area.

(9) The permittee shall immediately remove markers that are unlawfully erected or that are not in compliance with the requirements of their permits.

(10) The department shall adopt rules for the erection and maintenance of highway fatality markers. The department shall confer with affected governmental agencies, individuals, and groups within the demonstration project area in the development of the rules.

(11) This section shall expire December 31, 1992.

Passed the House February 11, 1988.

Passed the Senate March 5, 1988.

Approved by the Governor March 16, 1988.

Filed in Office of Secretary of State March 16, 1988.

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## CHAPTER 99

[Substitute Senate Bill No. 6703]

### UNDERGROUND FACILITIES—OWNERS TO SUBSCRIBE TO ONE-NUMBER LOCATOR SERVICE

AN ACT Relating to underground facilities; amending RCW 19.122.030; and adding a new section to chapter 19.122 RCW.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 3, chapter 144, Laws of 1984 and RCW 19.122.030 are each amended to read as follows:

Before commencing any excavation, the excavator shall provide notice of the scheduled commencement of excavation to all owners of underground facilities through a one-number locator service. All owners of underground facilities within a one-number locator service area shall subscribe to the service. One number locator service rates for cable television companies will be based on the amount of their underground facilities. If no one-number locator service is available, notice shall be provided individually to those owners of underground facilities known to or suspected of having underground facilities within the area of proposed excavation. The notice shall be communicated to the owners of underground facilities not less than two business days or more than ten business days before the scheduled date for commencement of excavation, unless otherwise agreed by the parties.

Upon receipt of the notice provided for in this section, the owner of the underground facility shall provide the excavator with reasonably accurate information as to its locatable underground facilities by surface-marking the location of the facilities. If there are identified but unlocatable underground facilities, the owner of such facilities shall provide the excavator with the best available information as to their locations. The owner of the underground facility providing the information shall respond no later than

two business days after the receipt of the notice or before the excavation time, at the option of the owner, unless otherwise agreed by the parties. Excavators shall not excavate until all known facilities have been marked. Once marked by the owner of the underground facility, the excavator is responsible for maintaining the markings. Excavators shall have the right to receive compensation from the owner of the underground facility for costs incurred if the owner of the underground facility does not locate its facilities in accordance with this section.

The owner of the underground facility shall have the right to receive compensation for costs incurred in responding to excavation notices given less than two business days prior to the excavation from the excavator.

An owner of underground facilities is not required to indicate the presence of existing service laterals or appurtenances if the presence of existing service laterals or appurtenances on the site of the construction project can be determined from the presence of other visible facilities, such as buildings, manholes, or meter and junction boxes on or adjacent to the construction site.

Emergency excavations are exempt from the time requirements for notification provided in this section.

If the excavator, while performing the contract, discovers underground facilities which are not identified, the excavator shall cease excavating in the vicinity of the facility and immediately notify the owner or operator of such facilities, or the one-number locator service.

**NEW SECTION.** Sec. 2. A new section is added to chapter 19.122 RCW to read as follows:

Excavators who comply with the requirements of this chapter are not liable for any damages arising from contact or damage to an underground fiber optics facility other than the cost to repair the facility.

Passed the Senate March 8, 1988.

Passed the House March 6, 1988.

Approved by the Governor March 16, 1988.

Filed in Office of Secretary of State March 16, 1988.

## CHAPTER 100

[Engrossed Second Substitute House Bill No. 537]  
FERRY ADVISORY COMMITTEES

AN ACT Relating to ferry advisory committees; and amending RCW 47.60.310.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 47.60.310, chapter 13, Laws of 1961 as last amended by section 24, chapter 15, Laws of 1983 and RCW 47.60.310 are each amended to read as follows: