



Comparison of P.A. 53 & the Best Practices

ISSUE	PUBLIC ACT 53	CONTRACT
Advance notice to MISS DIG System. (Normal Notice)	Three full working days, but not more than 21 calendar days, excluding Saturdays, Sundays and Holidays.	72 hours, but not more than 14 calendar days, excluding Saturdays, Sundays and Holidays.
Commencement of construction	Act is silent on this issue.	Excavator must commence excavation within 14 days of the dig start date or ticket is null and void.
Locating or marking of normal notice.	Locating to be done not less than one working day in advance of construction.	A utility owner shall mark its facilities by the dig start date on the normal notice.
"All Clear" positive response.	Act is silent on this issue.	A utility owner having no facilities in the area of construction shall make this information available through an automated response system administered by MISS DIG System.
How close to a marked facility can you get with powered equipment prior to exposing the facility.	Act is silent on this issue, but requires that you determine the precise location of facilities prior to excavating with power equipment.	Excavation with powered equipment may take place to within 60 inches of the flag, paint or other marks. Hand expose facility, then proceed with powered equipment. (Caution Zone)
Exposing lines -- Parallel construction.	Requires that excavator determine the precise location in advance of excavating.	For excavations within the Caution Zone soft excavation test holes shall be dug as often as is "reasonably necessary."
Failure to mark a facility -- response.	Act is silent on this issue.	Upon notification to the MISS DIG System facility, owner has 3 hours to respond.
Additional assistance response time.	If unable to determine precise location, excavator to notify the public utility who has one working day to respond.	During normal working hours 7:00 a.m. to 8:00 p.m., MOnday to Friday, utility owner shall respond in 3 hours after notice to MISS DIG.
Ability to recover costs.	Excavator can recover costs for physical damage only, should a utility fail to comply with the Act.	Upon documentation that any party fails to comply with this contract, that party will be held liable for resulting damages, costs and expenses to the insured party.
How long is a ticket deemed valid.	Silent - However the MISS DIG system arbitrarily placed a 21 day expiration.	Good for 21 days unless job to be won't be completed, in which case ticket is valid for 180 days.