Bill No.: SB-678  
Title: AN ACT CONCERNING MARKINGS MADE PURSUANT TO CALL BEFORE YOU DIG REQUIREMENTS.
Vote Date: 3/12/2019  
Vote Action: Joint Favorable  
PH Date: 2/21/2019  
File No.: 158

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SPONSORS OF BILL:
Energy & Technology Committee

CO-SPONSORS OF BILL:
Sen. John W. Fonfara, 1st Dist.

REASONS FOR BILL:
Sen. Fonfara is concerned that the paint being used by to mark the streets by utilities during Call Before You Dig (CBYD) procedure is not fading in an appropriate amount of time. The results of using paint that does not fade after three months leaves unsightly streets with multiple markings and this issue is particularly prevalent in urban districts. SB 678 aims to enforce a standard of operation where participants use a product that will begin to fade not more than three months after being applied to mark the various utilities that are underground.

RESPONSE FROM ADMINISTRATION/AGENCY:
Mark Rolfe, Chief Engineer – Department of Transportation – The DOT does not support the bill and believes that if passed it could unintentionally comprise the safety of the workers on the specified CBYD sites. They also have issues with how the bill will work in situations where work is ongoing because the current law mandates that the markings are re-established every 30 days and this law would conflict with this standard.

NATURE AND SOURCES OF SUPPORT:
None Offered
NATURE AND SOURCES OF OPPOSITION:

Vincent Pace, Associate General Counsel – Eversource – Eversource believes that they are already using a product that begins to fade in the three month period specified in the language of the bill and that it is unnecessary to pass a law to enforce a practice that is already occurring.

Elizabeth Gara, Connecticut Water Works Association (CWWA) – Strongly opposes this bill because the product that CBYD utilities use must be able to dry fast and adhere to hot surfaces and if the paint fades too quickly this could cause a major safety hazard. They also express a concern that if work is not done within 30 days and the paint fades too quickly that people may need to come out to mark the street a second time to assure safety, adding additional unnecessary work.

Kathryn Dube Director, Membership & Legislative Services – Connecticut Council of Small Towns – Are opposed to the bill because they have concerns that the new specified paint will fade too quickly and cause safety issues. They acknowledge that the markings are unsightly but feel that they are necessary to protect the safety of workers.

Reported by: Ben Lovejoy  Date: 3/25/2019