

**State Damage Prevention Law Summary**  
**State: Missouri**  
(Link to State law provided in Law & Regulation section below)  
Summary Date: 8/7/2017

<b>Excavator Requirements</b>	
<b>Excavation: Definition</b>	Missouri Revised Statutes § 319.015 (4) "Excavation", any operation in which earth, rock or other material in or on the ground is moved, removed or otherwise displaced by means of any tools, equipment or explosives and includes, without limitation, backfilling, grading, trenching, digging, ditching, pulling material from a ditch but not including routine road maintenance, drilling, well-drilling, augering, boring, tunneling, scraping, cable or pipe plowing, plowing-in, pulling-in, ripping, driving, and demolition of structures, except that, the use of mechanized tools and equipment to break and remove pavement and masonry down only to the depth of such pavement or masonry on roads dedicated to the public use for vehicular traffic, the tilling of soil for agricultural purposes when such excavation does not exceed sixteen inches in depth, the installation of marking flags and stakes and the use of pressurized air to disintegrate and suction to remove earth, rock, or other materials for the location of underground facilities shall not be deemed excavation. Backfilling or moving earth on the ground in connection with other excavation operations at the same site shall not be deemed separate instances of excavation. For railroads regulated by the Federal Railroad Administration, "excavation" shall not include any excavating done by a railroad when such excavating is done entirely on land that the railroad owns or on which the railroad operates, or in the event of an emergency, excavating done by a railroad on adjacent land;
<b>Excavator: Definition</b>	Missouri Revised Statutes § 319.015 (5) "Excavator", any person making one or more excavations who is required to make notices of excavation under the requirements of sections 319.010 to 319.050;
<b>Excavator Notice to One Call Required (Yes / No)</b>	Yes
<b>Excavator Notice Minimum # Working Days Before Digging</b>	2
<b>Excavator Notice (Specific Language)</b>	Missouri Revised Statutes § 319.025. 1. Except as provided in subsection 4 of section 319.030 and in section 319.050, a person shall not make or begin any excavation in any public street, road or alley, right-of-way dedicated to the public use or utility easement of record or within any private street or private property without first giving notice to the notification center and obtaining information concerning the possible location of any underground facilities which may be affected by said excavation from underground facility owners whose names appear on the current list of participants in the notification center and who were communicated to the excavator as notification center participants who would be informed of the excavation notice. Notice to the notification center of proposed excavation shall be deemed notice to all owners and operators of underground facilities. The notice referred to in this section shall comply with the provisions of section 319.026. § 319.026. 1. An excavator shall serve notice of intent to excavate to the notification center by toll-free telephone number operated on a twenty-four hour per-day, seven day per-week basis or by facsimile or by completing notice via the Internet at least two working days, but not more than ten working days, before the expected date of commencing the excavation activity.
<b>Ticket Life (# of days)</b>	Not addressed.
<b>White-Line Required (Yes / No)</b>	Yes. (Missouri Revised Statutes § 319.030. 3)
<b>Tolerance Zone</b>	24" (Missouri Revised Statutes § 319.015 (1))
<b>Special Digging Requirements Within Tolerance Zone (Specific Language)</b>	Missouri Revised Statutes § 319.026. 7. Before commencing excavation, the excavator shall determine best practices for confirming the horizontal and vertical location of facilities at the site of excavation considering conditions at the site including geology, access to the site, and the presence of paved surfaces. Hand digging or soft digging shall be used as a best practice when possible.
<b>Hand Dig / Vacuum or Soft Excavation Within Tolerance Zone (Yes / No)</b>	Yes. (Missouri Revised Statutes § 319.026. 7.)
<b>Preserve / Maintain Marks Required (Yes / No)</b>	Yes. (Missouri Revised Statutes § 319.026. 6.)
<b>Call Again If No Response from Operator Or Signs Of Unmarked Facilities (Yes / No)</b>	Yes. (Missouri Revised Statutes § 319.030. 4.)
<b>Notify One-Call if Marks Moved or No Longer Visible (Yes / No)</b>	Yes. (Missouri Revised Statutes § 319.026. 6.)

<b>Special Language Regarding Trenchless Technology (Yes / No)</b>	Yes. (Missouri Revised Statutes § 319.037. 2.)
<b>Separate Locate Request Required for Each Excavator (Yes / No)</b>	Yes. (Missouri Revised Statutes § 319.026. 1.)
<b>Notify Operator of Damage (Yes / No)</b>	No
<b>Notify One Call Center of Damage (Yes / No)</b>	Yes. (Missouri Revised Statutes § 319.026. 8.)
<b>Call 911 if Hazardous Materials Released (Yes / No)</b>	Yes. (Missouri Revised Statutes § 319.026. 8.)
<b>Notice Exemptions (Yes / No)</b>	Yes
<b>Notice Exemptions (Specific Language)</b>	<p>Missouri Revised Statutes § 319.015. For the purposes of sections 319.010 to 319.050, the following terms mean: (4) Excavation, any operation in which earth, rock or other material in or on the ground is moved, removed or otherwise displaced ..., except that, the use of mechanized tools and equipment to break and remove pavement and masonry down only to the depth of such pavement or masonry on roads dedicated to the public use for vehicular traffic, the tilling of soil for agricultural purposes when such excavation does not exceed sixteen inches in depth, the installation of marking flags and stakes and the use of pressurized air to disintegrate and suction to remove earth, rock, or other materials for the location of underground facilities shall not be deemed excavation. Backfilling or moving earth on the ground in connection with other excavation operations at the same site shall not be deemed separate instances of excavation. For railroads regulated by the Federal Railroad Administration, "excavation" shall not include any excavating done by a railroad when such excavating is done entirely on land that the railroad owns or on which the railroad operates, or in the event of an emergency, excavating done by a railroad on adjacent land;</p> <p>§ 319.050. The provisions of sections 319.025 and 319.026 shall not apply to any excavation when necessary due to an emergency as defined in section 319.015.</p>
<b>Operator Response</b>	
<b>Minimum # Days for Operator to Respond After Receiving Notice (Generally)</b>	2
<b>Operator Requirements to Respond to Locate Notification (Specific Language)</b>	<p>Missouri Revised Statutes § 319.030. 1. Every person owning or operating an underground facility to whom notice of intent to excavate is required to be given shall, upon receipt of such notice as provided in this section from a person intending to commence an excavation, inform the excavator as promptly as practical, but not in excess of two working days, unless the excavator agrees to extend the start date and time provided in the locate request through methods established by the notification center, of the approximate location of underground facilities in or near the area of the excavation so as to enable the person engaged in the excavation work to locate the facilities in advance of and during the excavation work, provided that no excavation shall begin earlier than the scheduled excavation date provided on the locate request unless the excavator has confirmed that all underground facilities have been located....Each underground facility owner receiving notifications from the notification center by use of the internet shall, after December 31, 2014, use the locate status system provided by the notification center. Those underground facility owners that do not receive notifications by use of the internet shall, no later than January 1, 2016, provide locate status to the notification center by an alternate method provided by the notification center. If the excavator states in the notice of intent to excavate that the excavation will involve trenchless technology, the owner or operator shall inform the excavator of the depth, to the best of his or her knowledge or ability, of the facility according to the records of the owner or operator. ...</p>
<b>Minimum Standards for Locator Qualifications (Yes / No)</b>	No
<b>Minimum Standards for Locator Qualifications (Specific Language)</b>	Not addressed
<b>Law Specifies Marking Standards Other Than Color (Yes / No)</b>	Yes

<b>Law Specifies Marking Standards Other Than Color (Specific Language)</b>	Missouri Revised Statutes § 319.015. For the purposes of sections 319.010 to 319.050, the following terms mean: (7) Marking, the use of paint, flags, stakes, or other clearly identifiable materials to show the field location of underground facilities, or the area of proposed excavation, in accordance with the marking standards for underground facilities as designated by the Common Ground Alliance Best Practices Version 10.0 except that "approximate location" shall comply with the requirements as set forth in subdivision (1) of this section... § 319.030. 1. ... The owner or operator shall provide the approximate location of underground facilities by use of markings as designated in section 319.015.
<b>Law Includes Specific Language For Operators To Locate Sewer Laterals (Yes / No)</b>	Yes. (Missouri Revised Statutes § 319.031.)
<b>Law Includes Specific Language For Operators To Locate Abandoned Facilities (Yes / No)</b>	No
<b>Operator Must Locate Abandoned Facilities (Specific Language)</b>	Not addressed
<b>Positive Response Required - Operator Contact Excavator (Yes / No)</b>	No
<b>Positive Response Required - Operator Contact Excavator (Specific Language)</b>	Not addressed. (See Missouri Revised Statutes § 319.026. 6.)
<b>Positive Response Required - Operator Contact One Call Center (Yes / No)</b>	No
<b>Positive Response Required - Operator Contact One Call Center (Specific Language)</b>	Not addressed. (See Missouri Revised Statutes § 319.026. 6.)
<b>Positive Response - One-Call Automated (Yes / No)</b>	No. (See Missouri Revised Statutes § 319.026. 6.)
<b>Operator Must Provide One-Call Center with Information On Locations of Buried Facilities (Yes / No)</b>	No
<b>Operator Must Provide One-Call Center with Information On Locations of Buried Facilities (Specific Language)</b>	Not addressed. (See Missouri Revised Statutes § 319.022.)
<b>Operator Must Update Information On Locations of Buried Facilities (Yes / No)</b>	No
<b>Operator Must Update Information On Locations of Buried Facilities (Specific Language)</b>	Not addressed. (See Missouri Revised Statutes § 319.022.)
<b>New Facilities Must Be Locatable Electronically (Yes / No)</b>	Yes

<b>New Facilities Must Be Locatable Electronically (Specific Language)</b>	Missouri Revised Statutes § 319.033. By January 1, 2016, if new lateral sewer pipes or water service lines are installed and connected to an underground facility within the public right-of-way, as defined in section 319.015, or if such infrastructure is fully replaced by excavation within the public right-of-way, the facility owner shall be required to place tracer wire or other utility location technology and an access point within a protective enclosure over water lines and cleanouts for gravity sewer laterals. For sewer laterals operating under pressure or vacuum, the facility owner shall be required to place an access point within a protective enclosure and shall not be required to place a cleanout. All protective enclosures and cleanouts shall be extended to grade and installed so that it is easily accessible. For water service lines and sewer laterals operating under pressure or vacuum, tracer wire, or other utility location technology shall be placed within the protective enclosure to provide approximate location of the underground facilities in these areas that are located within a public right-of-way.
<b>Design Request (Yes / No)</b>	Yes. (Missouri Revised Statutes § 319.027)
<b>One Call, Enforcement, and Reporting</b>	
<b>Mandatory One Call Membership (Yes / No)</b>	Yes. (Missouri Revised Statutes § 319.022. 1.)
<b>One Call Membership Exemptions (Yes / No)</b>	Yes
<b>One Call Membership Exemptions (Specific Language)</b>	Missouri Revised Statute § 319.022. 1. Any person, except a railroad regulated by the Federal Railroad Administration, who installs or otherwise owns or operates an underground facility shall become a participant in a notification center upon first acquiring or owning or operating such underground facility. All underground facility owners within the state shall maintain participation in a notification center for the duration of owning and operating such underground facility.
<b>One-Call Law Addresses Board Make-Up (Yes / No)</b>	Yes
<b>One-Call Law Addresses Board Make-Up (Specific Language)</b>	Missouri Revised Statutes § 319.022. 1. Any person, except a railroad regulated by the Federal Railroad Administration, who installs or otherwise owns or operates an underground facility shall become a participant in a notification center .... Such notification center shall be governed by a board of directors elected by the membership and composed of representatives from the general membership group.
<b>Separate Body Designated to Advise Enforcement Authority (Yes / No)</b>	No
<b>Separate Body Designated to Advise Enforcement Authority (Specific Language)</b>	Not addressed
<b>Penalties / Fines Excavators (Yes / No)</b>	Yes
<b>Penalties / Fines Excavators (Specific Language)</b>	Missouri Revised Statutes § 319.045. 1. Any person who violates in any material respect the provisions of section 319.022, 319.025, 319.026, 319.030, 319.037, or this section or who willfully damages an underground facility shall be liable to the state of Missouri for a civil penalty of up to ten thousand dollars for each violation for each day such violation persists, except that the maximum penalty for violation of the provisions of sections 319.010 to 319.050 shall not exceed five hundred thousand dollars for any related series of violations. An action to recover such civil penalty may be brought by the attorney general or a prosecuting attorney on behalf of the state of Missouri in any appropriate circuit court of this state....
<b>Penalties / Fines Operators (Yes / No)</b>	Yes
<b>Penalties / Fines Operators (Specific Language)</b>	Missouri Revised Statutes § 319.045. 1. Any person who violates in any material respect the provisions of section 319.022, 319.025, 319.026, 319.030, 319.037, or this section or who willfully damages an underground facility shall be liable to the state of Missouri for a civil penalty of up to ten thousand dollars for each violation for each day such violation persists, except that the maximum penalty for violation of the provisions of sections 319.010 to 319.050 shall not exceed five hundred thousand dollars for any related series of violations. An action to recover such civil penalty may be brought by the attorney general or a prosecuting attorney on behalf of the state of Missouri in any appropriate circuit court of this state....
<b>Penalties / Fines Other (Yes / No)</b>	No
<b>Penalties / Fines Other (Specific Language)</b>	Not addressed.

<b>Enforcement Authority Identified</b>	Missouri Revised Statutes § 319.045. 1. .... An action to recover such civil penalty may be brought by the attorney general or a prosecuting attorney on behalf of the state of Missouri in any appropriate circuit court of this state.... 2. The attorney general may bring an action in any appropriate circuit court of this state for equitable relief to redress or restrain a violation by any person of any provision of sections 319.010 to 319.050.
<b>Damage Investigation Required by Enforcement Authority (Yes / No)</b>	No
<b>Mandatory Reporting of Excavation Damage by All Utility Owners to State Entity or Department (Yes / No)</b>	No. (See Missouri Revised Statutes § 319.026. 8., and § 319.026. 10.)
<b>Mandatory Reporting by Excavators to State Entity or Department (Yes / No)</b>	No. (See Missouri Revised Statutes § 319.026. 8., and § 319.026. 10.)
<b>Mandatory Reporting to State Entity or Department - Gas Only (Yes / No)</b>	No
<b>Law and Regulation</b>	
<b>Statute / Law (Name &amp; Link)</b>	<a href="http://www.moga.mo.gov/mostatutes/stathtml/3190000101.html">Missouri Revised Statutes, Chapter 319 §§ 319.010 - 319.050, Underground Facility Safety and Damage Prevention Act (http://www.moga.mo.gov/mostatutes/stathtml/3190000101.html)</a> <a href="#">Also see One-Call Center Website for Information on State Law.</a>
<b>Date of Last Revision to Statute / Law</b>	January 1, 2015
<b>Administrative Rules / Regulations (Yes / No)</b>	No
<b>Administrative Rules / Regulations (Name &amp; Link)</b>	None
<b>State One Call Center(s) (Name &amp; Link)</b>	<a href="http://www.mo1call.com/">Missouri One Call System(http://www.mo1call.com/)</a>
<b>Miscellaneous Notes</b>	
<b>Notes</b>	0
<b>State Damage Prevention / One-Call Law Recently Revised With Future Implementation Dates</b>	0