

## In Field Enforcement Requests

State and local enforcement officers attempting to verify that a Sunshine 811 locate ticket has been issued and is valid for **excavation work in progress** should follow the steps outlined below.

1. Contact Sunshine 811 by calling 811 and selecting option 8 to speak with a member services representative Monday through Friday, 7 a.m. to 6 p.m., not including holidays.
2. Ask to conduct a ticket search and provide at least one of the following:
  - a. Sunshine 811 ticket number for excavation work being performed; or,
  - b. Address or location where excavation work is being performed; or,
  - c. Person or company performing excavation work.
3. If a Sunshine 811 locate ticket is found, the representative will review the following with you:
  - a. Ticket number.
  - b. Ticket due date and expiration date.
  - c. Person or company performing excavation work including subcontractors listed on ticket.
  - d. Person or company for whom work is being done.
  - e. Description of dig site area.
  - f. Description of excavation work being done and if machinery or directional drilling will be used.
  - g. List of member utilities that received locate ticket.
4. Determine if the locate ticket is valid and the information provided matches the area being excavated. This includes:
  - a. Locate ticket is 30 calendar days or less from date ticket was requested.
  - b. Excavation is at the dig site address provided on the ticket.
  - c. Excavation area within dig site matches the Locate Description.
  - d. Work being done matches the Work Type provided on the ticket.
  - e. Contractor/subcontractor/person excavating is listed on the ticket.
5. If there is no valid locate ticket, the officer can direct the excavation work to stop immediately until the person or company excavating complies, and issue a warning or a citation for violation of Chapter 556, F.S.

See the inside of this brochure for the individual statute citations.

## Educational Resources

We're here to help! Sunshine 811's Safety Education Liaisons provide free education on the Underground Facility Damage Prevention and Safety Act, Chapter 556, F.S., to those enforcing this law. Our liaisons will work with you to deliver the results you want for in-house, online or roll call meetings.

### Connect with a liaison today!

#### North Florida

Brad Martin | [brad.martin@sunshine811.com](mailto:brad.martin@sunshine811.com)

#### West Florida

Brian Dean | [brian.dean@sunshine811.com](mailto:brian.dean@sunshine811.com)

#### South Florida

John Segovia | [john.segovia@sunshine811.com](mailto:john.segovia@sunshine811.com)

#### Central Florida

Elliot Patterson | [elliott.patterson@sunshine811.com](mailto:elliott.patterson@sunshine811.com)

Sunshine811.com: Up-to-date information on our practices, procedures and the safe digging law.

### AMERICAN PUBLIC WORKS ASSOCIATION

#### Uniform Color Codes for Marking Underground Facilities

ELECTRIC, POWER,  
LIGHTING

POTABLE WATER

COMMUNICATION

RECLAIMED WATER,  
IRRIGATION, SLURRY

GAS, OIL, STEAM,  
PETROL

TEMPORARY SURVEY  
MARKINGS

SEWER,  
DRAIN LINES

PROPOSED  
EXCAVATION

Know what's below.  
Call **811** before you dig.

This guide is for informational purposes only. Sunshine 811 will not be liable for any loss or damage caused directly or indirectly from its use.  
Find complete details at [sunshine811.com](http://sunshine811.com).

# Enforcing Chapter 556



**Sunshine 811**  
SUNSHINE811.COM



## Enforcing Chapter 556 Helps Make Florida's Communities Safer

Underground facilities that deliver gas, electric, internet and water are safe. But when they are ruptured by a shovel or digging equipment, the consequences can be inconvenient—even deadly—resulting in major road closings, evacuations and no communications. Stopping these preventable digging accidents is the purpose behind the Underground Facility Damage Prevention and Safety Act, Chapter 556, Florida Statutes.

### Who Can Enforce Chapter 556?

Florida's State Fire Marshal or its agents (fire chief of the special district, municipality, or county), local or state law enforcement officers, government code inspectors and code enforcement officers.

### What Can You Do?

When you see excavation, make sure the excavator has a valid locate ticket, that locate marks are visible, and the excavation did not start too early. With the new \$2,500 enhanced penalty for violations involving PHMSA regulated lines, gas company representatives may contact you to issue a citation.

### Common Exemptions

- Homeowner unless digging is in an easement, right of way or permitted use area. [s.556.108(1)]
- Utility or its agent digging on homeowner property up to a 10 inch depth. [s.556.108(1)]
- Utility using hand tools to locate, repair, connect, protect or maintain lines, or extend facilities onto a property, up to a 30-inch depth when permanently marked facilities are in the right of way. [s.556.108(5)]
- A utility repairing its own underground facilities due to an emergency where such excavation is to protect life or property. [s.556.109]



## Noncriminal Civil Penalties

The civil penalty for each noncriminal violation listed below is \$500 plus court costs per s.556.107(1)(c)1. The civil penalty increases to \$2,500 when the infraction involves underground facilities transporting hazardous materials regulated by the Pipeline and Hazardous Materials Safety Administration (PHMSA) per s.556.107(1)(c)2. Enhanced civil penalties are identified by the following symbol: ⚠

- ⚠ [s.556.105(1)] relating to failure to provide required information.
- ⚠ [s. 556.105(5)(c)] relating to excavation practices in tolerance zones. Failure to use increased caution to protect underground facilities when digging in the tolerance zone. The protection requires hand digging, pot holing, soft digging, vacuum excavation methods, or other similar procedures to identify underground facilities. Any use of mechanized equipment within the tolerance zone must be supervised by the excavator per s.556.105(5)(c).
- ⚠ [s. 556.105(6)] relating to the avoidance of excavation. Failure to avoid excavation until underground facilities are marked, excavator is notified of any clear facilities, or the time allowed for marks has expired. Failure to avoid demolition until all underground facilities are marked or removed.
- ⚠ [s. 556.105(11)] relating to the need to cease excavation or demolition because the marks are no longer visible, or in the case of underwater facilities, are inadequately documented.
- ⚠ [s. 556.105(12)] relating to the need to stop excavation or demolition activities because of contact or damage to an underground facility, even when the damage is not visible.

[s. 556.105(5)(a) and (b)], relating to identification of underground facilities, if a member does not mark an underground facility, but not if a member marks an underground facility incorrectly.

[s. 556.109(2)], relating to falsely notifying the system of an emergency situation or condition.

[s. 556.114(1), (2), (3) and (4)], relating to failure to follow low impact marking practices as defined therein.

### Misdemeanors

Knowing and willful removal or destruction of:

- Valid temporary stakes/paint/flags used to mark the approximate location of underground facilities. [s.556.107(3)(a)]
- Permanent markers placed to identify the approximate location of underground facilities. [s.556.107(3)(b)]

## High Priority Subsurface Installation (HPSI) Incidents

HPSIs are underground transmission or distribution pipelines that transport refined petroleum products or hazardous/highly volatile liquids like anhydrous ammonia or carbon dioxide. Key points to remember about HPSI incidents.

- Pipeline operators determine HPSI status and inform excavators by leaving a 2C response code in the Sunshine 811 system. Excavators are required to verify these responses.
- HPSI incidents are events that result in death or serious bodily injury requiring inpatient hospitalization; property damage/service-restoration costs greater than \$50,000; or service interruption to 2,500 or more customers.
- HPSI incidents require an investigation when construction is a potential cause. The investigation is triggered by an incident report to the State Fire Marshal submitted by the

member operator or excavator.

- When the State Fire Marshal determines that an investigation is necessary to determine whether violation of s.556.107(1) is a proximate cause of the incident, the first step is to see if there is a valid locate ticket. Sunshine 811 can complete this request for the State Fire Marshal at no cost.

Visit [sunshine811.com/enforcement](http://sunshine811.com/enforcement) and download the HPSI Records Research and Retrieval Request form. While there, you will also find instructions for completing the request and determining a ticket's validity.

