

State Corporation Commission 2022 Fiscal Impact Statement

1. Bill Number: HB 913

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Brewer

3. Committee: Commerce and Energy

4. Title: Underground Utility Damage Prevention Act; duties of operator; liability of excavator.

5. Summary: Requires an operator of residential telecommunications or cable television service, after receiving notification of an interruption in service due to the installation of broadband service at a given premises, to restore telecommunications or cable television service, such that a person at the premises can telephone emergency services by dialing 911, within two days of receiving such notification. The bill prohibits an operator from giving false or misleading information to the notification center and requires the State Corporation Commission to investigate certain claims following an informal complaint. The bill requires an operator to indemnify and hold harmless an excavator when the excavator is installing facilities for purposes of broadband service and damages a utility line used for residential telecommunications or cable television and provides that no excavator is liable for any such damage occurring on or after July 1, 2022.

6. Budget Amendment Necessary: Yes, Budget Item 490.

7. Fiscal Impact Estimates: Fiscal Impact Estimates are Preliminary.

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2023	\$112,000	1	NGF/02080
2024	\$109,000	1	NGF/02080

8. Fiscal Implications: The bill calls for investigation into false statements by any party to the Virginia 811 Call Center. Specifically, the “false statements” most likely to be reported to the Division for investigation include information that the operator/locator communicates about an inability to mark facilities on time as required per the Damage Prevention Act. Although inspectors already review incorrect information given to the call center as it relates to required reporting and past damages, this would be a new investigative obligation into an area where the Division already sees frequent complaints by excavators. At a minimum, at least one more inspector would be necessary to field these complaints and pursue these investigations.

9. Specific Agency or Political Subdivisions Affected: State Corporation Commission,
Division of Utility and Railroad Safety, Division of Public Utility Regulation.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

MAC 1/25/2022