

CHAPTER 216D

ONE CALL EXCAVATION NOTICE SYSTEM

216D.01 Definitions.

216D.04 Excavation.

216D.01 DEFINITIONS.*[For text of subds 1 to 4, see M.S.1992]*

Subd. 5. **Excavation.** "Excavation" means an activity that moves, removes, or otherwise disturbs the soil by use of a motor, engine, hydraulic or pneumatically powered tool, or machine-powered equipment of any kind, or by explosives. Excavation does not include:

- (1) the extraction of minerals;
- (2) the opening of a grave in a cemetery;
- (3) normal maintenance of roads and streets if the maintenance does not change the original grade and does not involve the road ditch;
- (4) plowing, cultivating, planting, harvesting, and similar operations in connection with growing crops, trees, and shrubs, unless any of these activities disturbs the soil to a depth of 18 inches or more;
- (5) gardening unless it disturbs the soil to a depth of 12 inches or more; or
- (6) planting of windbreaks, shelterbelts, and tree plantations, unless any of these activities disturbs the soil to a depth of 18 inches or more.

*[For text of subds 6 to 11, see M.S.1992]***History:** 1993 c 341 art 1 s 20**216D.04 EXCAVATION.**

Subdivision 1. **Notice of excavation required; contents.** (a) Except in an emergency, an excavator shall and a land surveyor may contact the notification center and provide an excavation or location notice at least 48 hours before beginning any excavation or boundary survey, excluding Saturdays, Sundays, and holidays. An excavation or boundary survey begins, for purposes of this requirement, the first time excavation or a boundary survey occurs in an area that was not previously identified by the excavator or land surveyor in an excavation or boundary survey notice.

(b) The excavation or boundary survey notice may be oral or written, and must contain the following information:

- (1) the name of the individual providing the excavation or boundary survey notice;
- (2) the precise location of the proposed area of excavation or boundary survey;
- (3) the name, address, and telephone number of the excavator or land surveyor or excavator's or land surveyor's company;
- (4) the excavator's or land surveyor's field telephone number, if one is available;
- (5) the type and the extent of the proposed excavation or boundary survey work;
- (6) whether or not the discharge of explosives is anticipated; and
- (7) the date and time when excavation or boundary survey is to commence.

*[For text of subds 2 and 3, see M.S.1992]***History:** 1993 c 341 art 1 s 21