

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

| Excavator Requirements | |
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| Excavation: Definition | Wisconsin (WI) Statutes § 182.0175 (1) (b) "Excavation" means 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 grading, trenching, digging, ditching, drilling, augering, tunneling, scraping, cable or pipe plowing and driving and means any operation by which a structure or mass of material is wrecked, razed, rended, moved or removed. |
| Excavator: Definition | WI Statutes § 182.0175 (1) (bm) "Excavator" means a person who engages in excavation. |
| Excavator Notice to One Call Required (Yes / No) | Yes |
| Excavator Notice Minimum # Working Days Before Digging | 3 |
| Excavator Notice (Specific Language) | WI Statutes § 182.0175 (2) (am) Excavation notice. An excavator shall do all of the following: 1. Provide advance notice not less than 3 working days before the start of nonemergency excavation to the one-call system. |
| Ticket Life (# of days) | 10 (WI Statutes § 182.0175 (2) (am) 4.) |
| White-Line Required (Yes / No) | No |
| Tolerance Zone | 18" |
| Special Digging Requirements Within Tolerance Zone (Specific Language) | WI Statutes § 182.0175 (2) (am) An excavator shall do all of the following: ... 3. Maintain an estimated minimum clearance of 18 inches between a marking for an unexposed underground transmission facility that is marked under sub. (2m) and the cutting edge or point of any power-operated excavating or earth moving equipment, except as is necessary at the beginning of the excavation process to penetrate and remove the surface layer of pavement. When the underground transmission facility becomes exposed or if the transmission facility is already exposed, the excavator may reduce the clearance to times the known limit of control of the cutting edge or point of the equipment or 12 inches, whichever is greater. |
| Hand Dig / Vacuum or Soft Excavation Within Tolerance Zone (Yes / No) | No |
| Preserve / Maintain Marks Required (Yes / No) | No |
| Call Again If No Response from Operator Or Signs Of Unmarked Facilities (Yes / No) | No |
| Notify One-Call if Marks Moved or No Longer Visible (Yes / No) | Yes. (WI Statutes § 182.0175 (2) (am) 4.) |
| Special Language Regarding Trenchless Technology (Yes / No) | No |
| Separate Locate Request Required for Each Excavator (Yes / No) | Yes. (WI Statutes § 182.0175 (2) (am)) |
| Notify Operator of Damage (Yes / No) | Yes. (WI Statutes § 182.0175 (2) (am) 7.) |
| Notify One Call Center of Damage (Yes / No) | No |
| Call 911 if Hazardous Materials Released (Yes / No) | No |
| Notice Exemptions (Yes / No) | Yes |

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| Notice Exemptions (Specific Language)) | WI Statutes § 182.0175 (2) (c) Exemption for cemeteries. This subsection does not apply to any excavation in connection with the burial, as defined in s. 157.061 (1), of human remains in a cemetery, as defined in s. 157.061 (1p). |
| Operator Response | |
| Minimum # Days for Operator to Respond After Receiving Notice (Generally) | 3 |
| Operator Requirements to Respond to Locate Notification (Specific Language) | WI Statutes § 182.0175 (2m) (a) A transmission facilities owner shall do all of the following: 1. Respond to a planning notice within 10 days after receipt of the notice by conducting field markings, providing records and taking other appropriate responses. 2. Respond to an excavation notice within 3 working days by marking the location of transmission facilities and, if applicable, laterals as provided under par. (b) in the area described in the excavation notice. 3. Provide emergency locater service within 24 hours after receiving a request for that service. |
| Minimum Standards for Locator Qualifications (Yes / No) | No |
| Minimum Standards for Locator Qualifications (Specific Language) | Not Addressed |
| Law Specifies Marking Standards Other Than Color (Yes / No) | No |
| Law Specifies Marking Standards Other Than Color (Specific Language) | WI Statutes § 182.0175 (2m) (b) Facilities marking. A person owning transmission facilities, upon receipt of an excavation notice, shall mark in a reasonable manner the locations of transmission facilities at the area described in the notice.... If the approximate location of a transmission facility is marked with paint, flags, stakes or other physical means, the following color coding of lines, cables or conduits shall comply with the uniform color code adopted by the American National Standards Institute. ... |
| Law Includes Specific Language For Operators To Locate Sewer Laterals (Yes / No) | Yes. (WI Statutes § 182.0175 (2m) (a) 2.) |
| Law Includes Specific Language For Operators To Locate Abandoned Facilities (Yes / No) | Yes |
| Operator Must Locate Abandoned Facilities (Specific Language) | WI Statutes § 182.0175 (1) In this section: ... (c) Transmission facilities includes all pipes, pipelines, wires, cables, ducts, wirelines and associated facilities, whether underground or aboveground, regardless of the nature of their transmittants or of their in-service application. The term includes, but is not restricted to, utility facilities, government-owned facilities, facilities transporting hazardous materials, communications and data facilities, drainage and water facilities and sewer systems. The term does not include culverts. § 182.0175 (2m) (a) A transmission facilities owner shall do all of the following: ... 2. Respond to an excavation notice within 3 working days by marking the location of transmission facilities and, if applicable, laterals as provided under par. (b) in the area described in the excavation notice. |
| Positive Response Required - Operator Contact Excavator (Yes / No) | No |
| Positive Response Required - Operator Contact Excavator (Specific Language) | Not Addressed |
| Positive Response Required - Operator Contact One Call Center (Yes / No) | No |
| Positive Response Required - Operator Contact One Call Center (Specific Language) | Not Addressed |
| Positive Response - One-Call Automated (Yes / No) | No |

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| Operator Must Provide One-Call Center with Information On Locations of Buried Facilities (Yes / No) | No |
| Operator Must Provide One-Call Center with Information On Locations of Buried Facilities (Specific Language) | Not Addressed |
| Operator Must Update Information On Locations of Buried Facilities (Yes / No) | No |
| Operator Must Update Information On Locations of Buried Facilities (Specific Language) | Not Addressed |
| New Facilities Must Be Locatable Electronically (Yes / No) | Yes |
| New Facilities Must Be Locatable Electronically (Specific Language) | WI Statutes § 182.0175 (2r) Any person who, after December 31, 2006, installs a nonconductive water or sewer lateral shall also install a locating wire or other equally effective means for marking the location of the lateral. The requirement shall not apply to minor repairs to, or partial replacements of, laterals installed before January 1, 2007. |
| Design Request (Yes / No) | Yes. (WI Statutes § 182.0175 (2m) (a) 1.) |
| One Call, Enforcement, and Reporting | |
| Mandatory One Call Membership (Yes / No) | Yes. (WI Statutes § 182.0175 (1m) (a)) |
| One Call Membership Exemptions (Yes / No) | Yes |
| One Call Membership Exemptions (Specific Language) | WI Statutes § 182.0175 (1) (bv) Private transmission facilities means transmission facilities that are owned by a person, other than a governmental unit, and that are located on private property owned or leased by that person and that do not cross a public right-of-way. § 182.0175 (1m) (a) Owners of transmission facilities, other than private transmission facilities, shall establish or designate a nonprofit organization governed by a board of directors as the operator of a one-call system and shall be members of the system.,,, Owners of private transmission facilities may be members. |
| One-Call Law Addresses Board Make-Up (Yes / No) | No |
| One-Call Law Addresses Board Make-Up (Specific Language) | Not Addressed |
| Separate Body Designated to Advise Enforcement Authority (Yes / No) | No |
| Separate Body Designated to Advise Enforcement Authority (Specific Language) | Not Addressed |
| Penalties / Fines Excavators (Yes / No) | Yes |
| Penalties / Fines Excavators (Specific Language) | WI Statutes § 182.0175 (3) (a) Any person who willfully and knowingly violates this section may be required to forfeit \$2,000 for each offense. Each day of continued violation constitutes a separate offense. |
| Penalties / Fines Operators (Yes / No) | Yes |
| Penalties / Fines Operators (Specific Language) | WI Statutes § 182.0175 (3) (a) Any person who willfully and knowingly violates this section may be required to forfeit \$2,000 for each offense. Each day of continued violation constitutes a separate offense. |
| Penalties / Fines Other (Yes / No) | Yes |

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| Penalties / Fines Other (Specific Language) | WI Statutes § 182.0175 (3) (a) Any person who willfully and knowingly violates this section may be required to forfeit \$2,000 for each offense. Each day of continued violation constitutes a separate offense. (b) Whoever intentionally removes, moves or obliterates a transmission facilities marking placed by the transmission facilities owner may be fined not more than \$500 or imprisoned for not more than 30 days or both. This paragraph does not apply to an excavator who removes or obliterates markings during an excavation. |
| Enforcement Authority Identified | WI Statutes § 182.0175 (5) ... the person who owns or operates the facilities may seek injunctive relief in the circuit court for the county in which the transmission facilities are located. ... If the transmission facilities are owned or operated by a public utility ... the attorney general, upon request of the public service commission, shall seek injunctive relief in the circuit court for the county in which the transmission facilities are located. |
| Damage Investigation Required by Enforcement Authority (Yes / No) | No |
| Mandatory Reporting of Excavation Damage by All Utility Owners to State Entity or Department (Yes / No) | No |
| Mandatory Reporting by Excavators to State Entity or Department (Yes / No) | No |
| Mandatory Reporting to State Entity or Department - Gas Only (Yes / No) | No |
| Law and Regulation | |
| Statute / Law (Name & Link) | Wisconsin (WI) Statutes, Chapter 182, § 182.0175 – Damage To Transmission Facilities (https://docs.legis.wisconsin.gov/statutes/statutes/182/0175) Also see One-Call Center Website for Information on State Law. |
| Date of Last Revision to Statute / Law | March 1, 2016 |
| Administrative Rules / Regulations (Yes / No) | No |
| Administrative Rules / Regulations (Name & Link) | None |
| State One Call Center(s) (Name & Link) | Diggers Hotline (http://www.diggershotline.com/) |
| Miscellaneous Notes | |
| Notes | 0 |
| State Damage Prevention / One-Call Law Recently Revised With Future Implementation Dates | 0 |