

## HOUSE BILL No. 2638

By Committee on Energy and Utilities

1-17

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9 AN ACT concerning the location and mapping of underground water  
10 and wastewater facilities.

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12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. (a) All new and substantially rebuilt water transmission  
14 and distribution pipelines, wastewater pipelines and service lateral taps  
15 shall be locatable on and after July 1, 2008.

16 (b) For purposes of this section, "locatable" means the ability to lo-  
17 cate underground facilities within 24 inches of the outside dimensions in  
18 all horizontal directions of an underground facility using properly installed  
19 and maintained tracer wire, conductive material, GPS technology, or  
20 other technologies which will provide the operator of the water or waste-  
21 water system utility the ability to locate such pipelines for at least 20 years.  
22 Such location data shall be maintained in the form of maps or other  
23 format as determined by the water or wastewater system utility.

24 Sec. 2. (a) Existing water transmission pipelines of four inches in  
25 diameter or larger shall be mapped on or before June 30, 2013. Such  
26 location data shall be maintained in the form of maps or other format as  
27 determined by the water system utility.

28 (b) Existing wastewater pipelines and service lateral taps shall be  
29 mapped or otherwise retained in a retrievable format as determined by  
30 the wastewater system utility as such pipelines are located for repairs or  
31 other reasons.

32 (c) All water and wastewater system valves shall be mapped on or  
33 before June 30, 2013. Such location data shall be maintained in the form  
34 of maps or other format as determined by the water or wastewater system  
35 utility.

36 (d) The location of existing water pipelines with diameters of less than  
37 four inches shall be mapped or otherwise retained in a retrievable format  
38 as determined by the water system utility when such pipelines are visually  
39 located for repairs or other reasons.

40 (e) All water or wastewater system maps or other data format shall  
41 be updated, and such updates documented, at least annually.

42 (f) For purposes of this section, water system utilities may use any  
43 technology available that provides sufficient accuracy as to the actual lo-

1 cation of the water transmission pipeline, water pipeline, wastewater  
2 pipeline, water system valve, wastewater system valve or service lateral  
3 tap within 60 inches of the outside dimensions in all horizontal directions  
4 of an underground facility.

5 Sec. 3. The department of health and environment administered wa-  
6 ter and wastewater revolving loan programs and the department of com-  
7 merce administered community development block grant program shall  
8 require: (1) Applicants to have locatable water transmission pipelines and  
9 valves and/or wastewater pipelines and valves as indicated on accurate  
10 maps or other acceptable data format prior to being considered for such  
11 loans or grants; or (2) that the project for which funding is sought shall  
12 include a component which requires water or wastewater transmission  
13 and distribution system pipelines and valves to be locatable as an integral  
14 component of the project. For purposes of this section the term “locat-  
15 able” means the ability to locate underground facilities within 24 inches  
16 of the outside dimensions in all horizontal directions of an underground  
17 facility using properly installed and maintained tracer wire, conductive  
18 material, GPS technology, or other technologies which will provide the  
19 operator of the water or wastewater system utility the ability to locate  
20 such pipelines for at least 20 years. Such location data shall be maintained  
21 in the form of maps or other format as determined by the water or waste-  
22 water system utility.

23 Sec. 4. In any action concerning liability for damage to underground  
24 water or wastewater facilities, a water or wastewater system utility shall  
25 be presumed to have exercised ordinary care if it has complied with the  
26 requirements of sections 1 through 3, and amendments thereto.

27 Sec. 5. This act shall take effect and be in force from and after its  
28 publication in the statute book.