

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

SENATE BILL 401

5 By: Senators J. Boyd, J. Dismang
6 By: Representative Achor
7

For An Act To Be Entitled

8
9 AN ACT TO AMEND THE ARKANSAS UNDERGROUND FACILITIES
10 DAMAGE PREVENTION ACT; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 TO AMEND THE ARKANSAS UNDERGROUND
14 FACILITIES DAMAGE PREVENTION ACT.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code § 14-271-109(a), concerning the notice
20 requirements to the One Call Center under the Arkansas Underground Facilities
21 Damage Prevention Act, is amended to read as follows:

22 (a) Compliance with notice requirements of § 14-271-112 is not
23 required for:

24 (1) The moving of earth that is not on a right-of-way or within
25 an easement of an operator using specialized equipment that is specifically
26 designed to excavate without damaging underground facilities, including
27 without limitation equipment that excavates using pressurized water or air
28 coupled with a vacuum system or by tools manipulated only by human or animal
29 power;

30 (2) The moving of earth by an operator that is on a right-of-way
31 or within an easement of the operator using specialized equipment that is
32 specifically designed to excavate without damaging underground facilities,
33 including without limitation:

34 ~~(A) equipment~~ Equipment that excavates using pressurized
35 water or air coupled with a vacuum system or by tools only manipulated by
36 human power and exclusively for the purposes of system maintenance and leak



1 detection; or

2 (B) Tools only manipulated by human power to a depth of
3 not greater than twelve inches (12") within twelve inches (12") of the
4 operator's terminal for other purposes;

5 (3) Any agricultural purposes, including any form of cultivation
6 for agricultural purposes, digging for postholes on private property,
7 construction and maintenance of farm ponds, land clearing, or other normal
8 agricultural purposes that are not on a right-of-way of an operator;

9 (4) The opening of a grave in a cemetery that is not on a right-
10 of-way of an operator; or

11 (5) Routine road work and general maintenance as performed in
12 the right-of-way by state or county maintenance departments, but excluding
13 any work or maintenance involving any demolition or excavation.

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