

**RESOLUTION NO. 18-04-01**

**RESOLUTION OF THE CALIFORNIA UNDERGROUND FACILITIES  
SAFE EXCAVATION BOARD IN SUPPORT OF LEGISLATION TO AMEND  
THE STATUTE TO COMMENCE INVESTIGATIONS PRIOR TO JULY 1, 2020**

WHEREAS, pursuant to the Dig Safe Act of 2016 (SB 661, Chapter 809, Statutes of 2016) (the “Act”), codified under Government Code section 4216 et seq. (the “statute”), the California Underground Facilities Safe Excavation Board (the “Board”) is mandated to coordinate education and outreach activities that encourage safe excavation practices, develop certain standards for safe excavation practices, investigate possible violations of the statute, and enforce the statute on specified persons;

WHEREAS, the Board is not authorized to investigate possible violations of the statute until July 1, 2020, as provided in Government Code sections 4216.12, subdivision (b)(3), and 4216.19;

WHEREAS, the Board is currently authorized to recommend enforcement of the statute on persons under the jurisdiction of the Registrar of Contractors of the Contractors State License Board, the Public Utilities Commission, or the Office of the State Fire Marshal, as provided in Government Code section 4216.6, subdivision (c);

WHEREAS, the Board is authorized to hire investigators on July 1, 2018 under the Budget Act of 2017, and the Board shall be subject to review by the appropriate policy committees of the Legislature on and after January 1, 2020 pursuant to Government Code section 4216.12, subdivision (c); and

WHEREAS, the Board is statutorily unable to perform its fundamental function of conducting investigations prior to review by the Legislature, yet may hire investigators two years before the Board is authorized to conduct investigations and may recommend enforcement of the statute on persons under the jurisdiction of the Registrar of Contractors of the Contractors State License Board, the Public Utilities Commission, or the Office of the State Fire Marshal;

THEREFORE, BE IT RESOLVED that the California Underground Facilities Safe Excavation Board supports legislation to amend the statute, specifically, Government Code section 4216.19, to eliminate the operative date of July 1, 2020 and thereby authorize the Board to begin conducting investigations prior to July 1, 2020. Pending legislative approval of the statutory amendment, staff shall begin conducting investigations upon approval by the Board.

Date of Adoption: April 19, 2018

I hereby certify that the attached resolution is a true and exact copy of Resolution No. 18-04-01 adopted by the California Underground Facilities Safe Excavation Board on April 19, 2018: RESOLUTION OF THE CALIFORNIA UNDERGROUND FACILITIES SAFE EXCAVATION BOARD IN SUPPORT OF LEGISLATION TO AMEND THE STATUTE TO COMMENCE INVESTIGATIONS PRIOR TO JULY 1, 2020.

/s/ Tony Marino

/s/ Jessica Arden

---

Tony Marino  
Executive Officer

---

Jessica Arden  
Chair

Date: April 19, 2018