



MD/DC Damage Prevention Committee

Kevin Woolbright, Chairman
Mark Hamrick, Vice Chairman
Susan Sullivan, Secretary

Minutes of the meeting for January 25, 2022
Hybrid Meeting hosted by Miss Utility in Hanover, MD
Prepared by Susan Sullivan

CALL TO ORDER AND INTRODUCTIONS

Chairman Kevin Woolbright called the regular monthly meeting to order at 9:55 AM via Zoom. There were fifty-six (56) virtual attendees and six (6) onsite attendees.

APPROVAL OF MINUTES

A motion to approve the November 23, 2021, minutes was made by Diane Spriggs (WSSC) and seconded by David Wilkins (WSSC). The motion carried by approval.

The approved meeting minutes will be posted at <https://www.missutility.net/excavators/>.

OLD BUSINESS

Dora Parks to guest speak at an upcoming DPC meeting with a Utility Defenders update. Please visit <https://www.utility-defenders.com/> and Facebook @TheUtilityDefenders to learn more about the Utility Defenders campaign.

NEW BUSINESS

BGE has recently contracted HBK Engineering for locates submitted in their Harford and Cecil County footprints. Contact emails for HBK are bulleted below:

- Aaron Harris | aharris@hbkengeering.com
- Isaiah Lynam | isaiah.lynam@hbkengeering.com
- T. Smith | tsmith@hbkengeering.com

OPEN DISCUSSION

Mike Hicks (ProComm) inquired about the 1,320 FT maximum ticket length. It was explained that this maximum length was written within the Extent of Work definition of the updated Title XII law re-write which became effective in March 2021. In addition, ticket processing business rules, set by call center subscribers, have set limitations on EOW as well, which may differ depending on the location of a locate request within the boundaries of a municipality, CDP etc. Business rules are automatically built into the ticketing software to prevent users from having to memorize or otherwise be concerned with these established rules.

Lisa Hurley (SMECO) requested contact information for Mike Hicks (ProComm) which he shared via the Zoom chat: Mike Hicks - Pro Comm E.L.S. LLC (443) 456-6686, mike@procommels.com

Lisa also asked about contact information for Mattawoman Energy, LLC. Susan Sullivan to follow up with this inquiry.

Brian Compton (D&F Construction) requested a locate update from locate companies on the call. Mike Burns (Utilquest) responded that aggressive hiring and training practices remain in place as an effort to meet both current and future locate demands prior to the coming busy season. Brian also asked if expiration dates were affected when ticket statuses are not provided until the ticket expires or just prior to. The response was that under current Title XII law, ticket expiration, currently, does not change regardless of a ticket's status or time/date of status.

Shelly Welling (Gray & Son) asked if a valid but unstated ticket and its update ticket could be stated and marked simultaneously. Mike Burns (Utilquest) indicated that if a locator is made aware of this situation, that yes, both can be simultaneously stated and marked.

It was further explained, via a question by Chuck Baker (Verizon), that a locator on site, marking a valid ticket, can be provided that ticket's update ticket number (for the same job) and that both tickets can be simultaneously stated and marked.

Karen Salehi (Rustler Construction) indicated that she was experiencing ongoing issues getting tickets stated by WSSC. It was suggested that she reach out to Mike Hicks (ProComm) at mike@procommels.com and David Wilkins (WSSC) at david.wilkins@wsscwater.com for assistance.

MISS UTILITY CALL CENTER

- ITICnxt Presentation: Creating Job Profiles
 - ITICnxt is Miss Utility's newest ticketing platform which went live to all users in November 2020. These brief presentations highlight important internet ticketing information and include various aspects of Excavator Ticket Management and ITICnxt ticket processing for users of ITICnxt.
 - Once created, *ITICnxt Job Profiles* store pertinent ticket information, that when clicked on during step two (2) of ticket processing, are quickly and seamlessly added to *job description* ticket fields- another time-saving benefit of Miss Utility's ITIC software.
 - Job Profiles can be created by clicking on User Settings then Job Profiles (vertical menu on left side of ETM). Under this tab, new profiles can be set up and existing profiles can be edited or deleted. Users can personalize which fields are filled out or left blank.
 - Job Profiles can also be created or edited during ticket processing under step 2 and by clicking on the person icon located on the upper right-hand corner of ITICnxt's ETM homepage.
 - February's topic: Open to attendee suggestions. Please email Susan with ideas.

- Dashboard Reporting: Jennifer Arroyo (Miss Utility) provided ticket volume data for the month of December 2021.
 - Inbound ticket volume: 71,363 a monthly decrease of 6.671% compared to 2020
 - Outbound ticket volume: 381,875 a year-to-date increase of 22.348% compared to 2020

- **Damage Reporting:** Susan Sullivan provided YTD data through December 2021 of reported damages in MD/DC.
 - 870 utility damages (233 mains and 637 services)
 - 30.23% due to no call or valid ticket
 - 32.76% due to hitting a marked line
 - 29.43% due to incorrect locate marks
 - 7.59% due to other root causes

MARYLAND AUTHORITY Jim Barron, Executive Director

- The Authority held a Closed Executive Session via Zoom on December 1, 2021, and an Open Meeting with a Closed Executive Session via Zoom on January 5, 2022.
 - The Authority reviewed twenty-five (25) NPVs.
 - Subsequent Violations after August 15, 2021, when the Governor lifted the State of Emergency, now start at \$4,000 in the Standard Fining Matrix. Consequently, marking violations went from \$1,580 to \$3,160 per violation.
 - The Authority has forty-five (45) new NPVs to investigate and review.
- The Authority:
 - Adopted the 2022 meeting calendar which has been posted at <https://mddpa.org/>,
 - Is working on the Annual Report to the Governor,
 - Has submitted Emergency Legislation, to be approved in this Legislative Session, to put §12-135 (a) (2) back into the Title XII,
 - Elected Officers for 2022; Michael Jewell – Chair, Paul Kwaitkowski – Vice-Chair, Tamara Neal – Treasurer and Kelly Ruddo – Secretary; and
 - Voted to renew the Authority’s Government/Municipality CGA Membership for 2022.

The next meeting of the Authority will be a Closed Executive Session on Wednesday, February 2, 2022, via Zoom.

MD TITLE 12 Jim Barron, Executive Director MD Authority

Jim provided information on Emergency Bill HB 350 which puts §12-135 (a) (2) back into the Title XII. Please see HB 350, below, in its entirety.

HOUSE BILL 350

C5

EMERGENCY BILL

2lr1393

CF 2lr1396

By: **Delegate Brooks**

Introduced and read first time: January 19, 2022

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Underground Facilities Damage Prevention – Enforcement**

3 FOR the purpose of authorizing the Maryland Underground Facilities Damage Prevention
4 Authority to impose certain enforcement measures on persons that perform
5 excavation or demolition without providing required notice; and generally relating
6 to underground facilities and damage prevention.

7 BY repealing and reenacting, with amendments,
8 Article – Public Utilities
9 Section 12–135(a)
10 Annotated Code of Maryland
11 (2020 Replacement Volume and 2021 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That the Laws of Maryland read as follows:

14 **Article – Public Utilities**

15 12–135.

16 (a) (1) A person that performs an excavation or demolition without first
17 providing the notice required under § 12–124(a) of this subtitle is deemed negligent and is
18 subject to a civil penalty assessed by the Authority.

19 (2) The Authority shall calculate the civil penalty considering:

- 20 (i) the severity of the violation;
- 21 (ii) the intent and good faith of the violator; and
- 22 (iii) the past history of violations.

2 **HOUSE BILL 350**

1 (3) The civil penalty may not exceed:

- 2 (i) \$2,000 for the first offense; and
- 3 (ii) \$4,000 for each subsequent offense.

4 (4) A person that violates any other provision of Part IV of this subtitle is
5 subject to a civil penalty assessed by the Authority not exceeding:

- 6 (i) \$2,000 for the first offense; and
- 7 (ii) \$4,000 for each subsequent offense.

8 (5) INSTEAD OF OR IN ADDITION TO ASSESSING A CIVIL PENALTY
9 UNDER THIS SUBSECTION, THE AUTHORITY MAY:

10 (I) REQUIRE THAT A PERSON:

11 1. PARTICIPATE IN DAMAGE PREVENTION TRAINING; OR

12 2. IMPLEMENT PROCEDURES TO MITIGATE THE
13 LIKELIHOOD OF DAMAGE TO UNDERGROUND FACILITIES; OR

14 (II) IMPOSE OTHER SIMILAR MEASURES.

15 [(5)] (6) (i) For purposes of paragraphs (3)(ii) and (4)(ii) of this
16 subsection, the Authority may not consider an offense to be a subsequent offense if the
17 offense occurred at least 3 years after the earlier offense unless:

18 1. the earlier offense is unresolved, regardless of the age of
19 the earlier offense; or

20 2. the person has not met the conditions of an assessed
21 penalty within the time period prescribed.

22 (ii) In the case of an unresolved earlier offense or a failure to meet
23 the conditions under subparagraph (i) of this paragraph, the Authority may assess up to
24 double the maximum civil penalty for each violation.

25 [(6)] (7) A person that fails to appear before the Authority without cause,
26 after proper notification of a scheduled hearing, may be subject to a \$200 fine in addition
27 to any civil penalty assessed by the Authority.

28 [(7)] (8) A person that files an emergency ticket that does not meet the
29 definition of emergency under § 12-101 of this subtitle may be subject to the maximum

HOUSE BILL 350

3

1 penalties available under this subsection.

2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
3 measure, is necessary for the immediate preservation of the public health or safety, has
4 been passed by a yea and nay vote supported by three-fifths of all the members elected to
5 each of the two Houses of the General Assembly, and shall take effect from the date it is
6 enacted.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Jim also spoke to the Subscriber's requested changes to Title XII and shared that the final draft is in the hands of bill drafters.

Brian Compton (D&F Construction) proposed that this change to Title XII, would mean that marks could potentially be on the ground well prior to the start of a selected work date and potentially be on the ground weeks prior to the expiration date. This was confirmed by Jim Barron who suggested these 'extra' days could allow an excavator additional workdays on a given ticket.

Satish Patel (WSSC) asked about Maryland's ticket load in comparison to other states that have enacted similar Self-Select Start Work Dates. Jennifer Arroyo and Matt Ruddo both confirmed that Maryland's ticket load is higher than in these other states. Matt added that changes have been well received and had a positive impact on normalizing ticket volume since their inception.

For a copy of the proposed changes to 12-121 through 12-126, in Legislative Format, please contact Susan Sullivan at ssullivan@missutility.net.

January's Title XII topic: TBD

COMMITTEE REPORTS

2022 GREATER CHESAPEAKE DAMAGE PREVENTION TRAINING CONFERENCE

Matt Ruddo, Chairman (OCC)

- 2022 GCDPTC kick off meeting is scheduled to take place today following the DPC meeting.
- This 13th annual GCDPTC is scheduled to take place October 25th -28th, 2022, at the Clarion Resort Fontainebleau Hotel in Ocean City, MD.
- The GCDPTC provides facility operators, locators, excavators, regulators, engineers, and other professionals who work near underground facilities with a combination of informative training sessions, exhibitors, and networking opportunities.
- Registration for the 2022 Greater Chesapeake Damage Prevention Training Conference will open in the spring. To register for email updates about the conference, please email missutilityconference@gmail.com.
- For more information, please visit www.missutilityconference.com.

The next planning committee meeting is scheduled for February 15, 2022.

MD/DC SUBSCRIBERS COMMITTEE & BOARD OF DIRECTORS MEETING

Scott Brown, Chairman

- Next hybrid meeting is scheduled for April 14, 2022, at 10:00 AM.

DAMAGE PREVENTION AND SAFETY

➤ Training - Coordinator, Susan Sullivan (Miss Utility)

- DPT Completed:
 - November 10 – Charles County Public Works/Utilities
 - December 3 – Virtual ODPT
 - December 20 – Ultra Utilities Construction

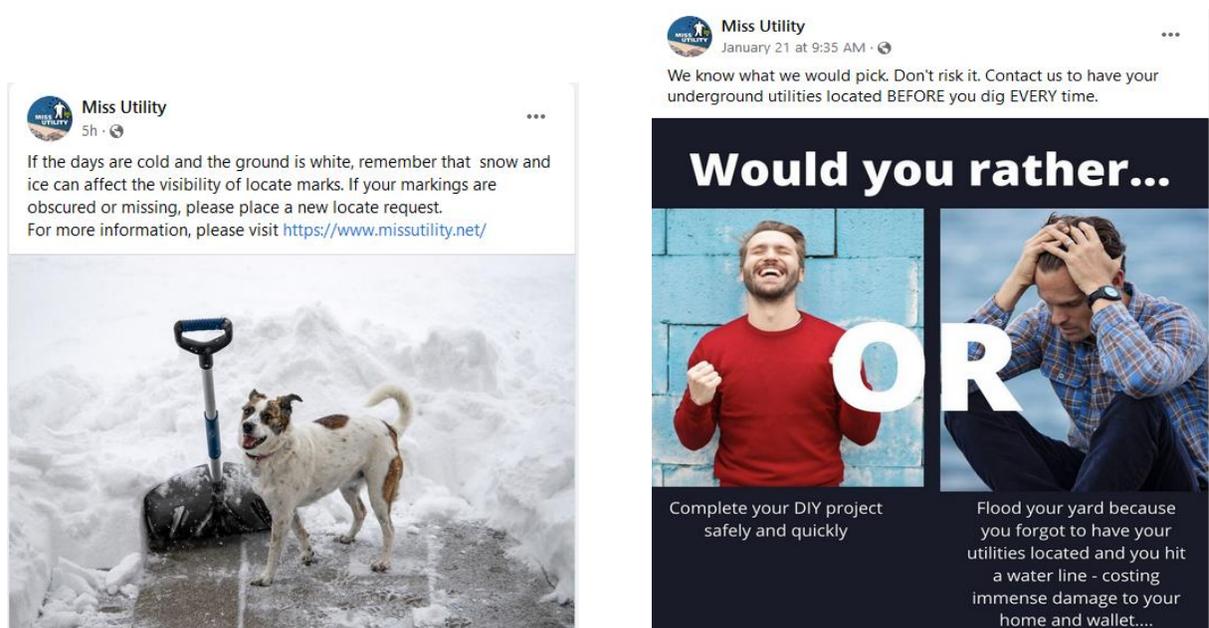
- DPT Upcoming:
 - February 4 – Virtual Open Damage Prevention Training
 - February 14 – Cecil County School of Technology

➤ 2022 National Conferences

- GESC: March 1-3, 2022, in Phoenix, AZ
- CGA: April 4 - 8, 2022 in Anaheim, CA
- OCC will sponsor and attend both conferences.
- All stakeholders are welcome to attend.

➤ Miss Utility Facebook

Please visit www.facebook.com/missutilityofmd/ for dig safe posts, holiday announcements, call center notices/information and current events. Please like or share posts to show your support for Miss Utility and the dig safe message.



➤ Carvertise Marketing Metrics reported by Susan Sullivan, Miss Utility

- Nine wrapped cars currently travel throughout Montgomery, Prince George, Charles, Allegany, Garrett and Baltimore Counties, Baltimore City and Washington D.C.
- Quantitative Performance Data for the month of November:
 - Miles traveled by fleet: 13,006 (4,906 above expectation)
 - Impressions per fleet: 1,898,876 (716,276 above expectation)

MGH Marketing & Outreach Team Update

Reported by Gaby Lothamer, MGH

➤ 2022 Trade Show Updates

- Washington County Home Builders Home Show (March 5 & 6)
- Maryland Spring Home & Garden Show (March 5-6 & 11-13)

- Maryland Asphalt Association & Maryland State Highway Administration Annual Paving Conference (March 17)

Those interested in volunteering for future events can contact Susan Sullivan at ssullivan@missutility.net or Gaby Lothamer at glothamer@mghus.com.

➤ 2022 Scholarship Program

- The 2022 Miss Utility/District One Call scholarship program launched today, January 25th.
- Miss Utility/District One Call will select one student each from eight zones covering Maryland and Washington, D.C., to receive a \$1,008.11 single-year scholarship.
- The deadline to apply is Friday, May 27th at 11:59 p.m.
- The online application can be found at <https://form.jotform.com/MissUtility/Scholarship22>
- Please help in promoting the scholarship program by sharing within your networking communities.
- For more information, please visit <https://www.missutility.net/miss-utility-scholarship/>.

2022 AWARDS COMMITTEE Mark Hamrick, Chairman

- 2022's LAA kick off meeting is scheduled for today following the GCDPTC meeting.

The next scheduled meeting will take place February 22nd immediately following the DPC meeting.

CONSTRUCTION ANGELS

Kevin Woolbright, CA Board Representative for MD/DC

- Kevin is looking forward to scheduling 2022 CA Events/Fundraisers.
- Fundraisers will be discussed and evaluated during the April 14th Board meeting and will focus on current or potential Covid restrictions and/or other related concerns that may interfere with the scheduling of events.
- CA's Scholarship Program: There is money to be given away that will be directed elsewhere if there are no local applicants. As long as there is an affiliation with Miss Utility or District One Call, a work-related construction fatality is no longer necessary for application submission. Anyone interested in learning more about this program should contact Kevin at bright.67@verizon.net.
- Contact Kevin Woolbright for more information about Construction Angels' financial standings.
- CA fund-raising initiatives are always welcome. Please contact Kevin with ideas, questions, or volunteer opportunities.

There being no further business brought before the committee, the meeting adjourned at 11:14 AM.

Upcoming 2022 MD/DC Damage Prevention & Safety Meetings via Zoom

- February 22
- March 22
- April 26

MEETING ATTENDEES: This was a hybrid meeting. Onsite attendance is below. Accurate Zoom attendance is not available.

On-Site Attendees

Construction Angels	Kevin Woolbright DPC Chairman CA Board Representative for MD/DC	(301) 806-8745	bright.67@verizon.net
One Call Concepts/ Miss Utility	Jennifer Arroyo General Manager		jennifer@occinc.com
One Call Concepts/ Miss Utility	Matt Ruddy Director, Client Relations	(410) 782-2025	matt@missutility.net
One Call Concepts/ Miss Utility	Susan Sullivan BOD/DPC Secretary DP Training and Education Liaison	(410) 782-2030	ssullivan@missutility.net
Verizon	Mark Hamrick DPC Vice Chairman Damage Investigator	(410) 610-1371	mark.a.hamrick@verizon.com
WSSC	David Wilkins BOD, Water/Sewer Rep Customer Advocate	(301) 648-6953	david.wilkins@wsscwater.com