

Michigan Damage Prevention Board
Best Practice
2014-01

14 Day Rule

MDPB Best Practice

Excavation must commence within 14 calendar days of the dig start date on the MISS DIG ticket. A new ticket must be obtained if excavation has not occurred within that time frame.

PA174 Reference

Section 5 (1)

An excavator shall provide a dig notice to the notification system at least 72 hours, but not more than 14 calendar days, before the start of any blasting or excavation.

Discussion

PA174 is not clear that if you do not begin excavating within the 72 hr-14 day period that you need to enter a new ticket. However that is the intent of the law based on the following:

- The Michigan Best Practices of 2006 states that "If an excavator does not commence excavation within 14 calendar days of the date and time set forth in a dig notice, the excavator shall be required to give a new dig notice of the proposed commencement of excavation and the prior dig notice shall be null and void."
- The rationale for the rule is that if 14 days has gone by since staking was completed there is a significant risk that at least a portion of the staking may have been removed or covered due to lawn maintenance, ongoing construction activity or weather.
- An excavator's inability to start construction within 14 days of the dig notice start date should not require the staker to respond within the 3 hour or 24 hour response time when the excavator arrives on site. The requirement to initiate a new ticket will "reset" the clock for the staking to allow 72 hours to provide the staking.

October 2016 addendum: There has been discussion on what is intended by "Excavation must commence...." The MDPB has determined that the definition of "excavation" in PA174 section 3 (m) applies to this best practice.

References

None

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The MDPB Best Practices are presented as a general guide. The MDPB encourages all users to consult and consider not only the MDPB Best Practices, but also (i) employer practices, (ii) industry practices, (iii) federal and state statutes and regulations, (iv) building and fire codes, and (v) local laws, regulations, and ordinances.