



February 26, 2025
The Honorable Tom Patton
Chairman, Senate Transportation Committee
Ohio Senate
1 Capital Square
Columbus, Ohio 43215-4275

Re: Interested Party Testimony – HB54 (Representative Brian Stewart)

Chairman Patton, Vice Chairman Schaffer, Ranking Member Antonio, and Members of the Committee,

My name is Roger Lipscomb and, as the President / Executive Director of the Ohio Utilities Protection Service (OHIO811), I am thankful for the opportunity to speak with you and to provide Interested Party testimony regarding HB54.

OHIO811 is a not-for-profit organization that has been serving the citizens of Ohio since 1972. We serve as the vital communications link between those who have a need to excavate and those who own, operate and maintain the essential underground utility infrastructure Ohio relies on. OHIO811's mission is one of public safety, helping to protect Ohio's 11.8 million residents, their communities and the environment through an efficient and effective stakeholder communication and education process.

OHIO811's stakeholder representation consists of public and private utility companies, municipal and governmental entities, utility cooperatives, excavators, commercial contractors, engineering and design firms, higher education institutions and other industry related entities that operate on a local, state or national level.

Through broad based public education, awareness and outreach initiatives, OHIO811 strives to provide understanding and foster cooperation among all stakeholders. Our efforts provide Ohioans a safer place to live and work as it relates to the essential utility infrastructure that is all around us.

In reviewing HB 54, we felt compelled to share our experience and insights regarding the abandonment of telecommunications and utility structures "abandoned facilities" related provisions of the bill.

Understanding that the general intent of the "abandoned facilities" related language is to relieve congestion in crowded rights-of-way, eliminate potential delays and make future installations more efficient, we recognize that the language as currently written may actually prove to be counterproductive and has the potential for significant community and traffic flow disruption, increased costs for consumers, and possibly create public safety concerns as it relates to the damage and disruption to active utility facilities. It must be acknowledged that we have been placing buried utility facilities within Ohio's public rights-of-way for almost 200 years and as such many records of their locations have been lost to time. To seek out and remove these types of facilities would be a near insurmountable task and extremely cost prohibitive.

In 2011, OHIO811, working with multiple industry stakeholder associations, established the Ohio Underground Damage Prevention Coalition (OUDPC). The intent of the OUDPC is to bring all stakeholders together to review current ORC damage prevention statutes and, based on consideration of industry best practices, advancing methodologies and technologies, recommend meaningful revisions and / or additions to the current law. OUDPC participation is open to all stakeholders and interested parties. The OUDPC's efforts have been very successful, resulting in the passage of several significant pieces of legislation. Ref. HB458 (2012), SB378 (2014), Sub HB430 (2021) and some provisions within HB315 (2024).

The issues surrounding “abandoned facilities” has been discussed on a state and national level for many, many years. In late 2023, the OUDPC established an “Abandoned Lines” subcommittee and began developing solutions to address the abandonment of facilities within the public rights-of-way. The Committee consists of stakeholder representation from excavators / contractors, utility and governmental, contract locators and damage prevention professionals.

This committee meets quarterly and has made substantive progress on the issue of abandoned facilities. They are working towards solutions that will benefit all stakeholders as well as the public. Unlike the language, as currently written in HB54, the solutions that OUDPC’s Abandoned Lines subcommittee are developing do not have the potential for unintended consequences such as increased roadway disruption for the public, delayed installation of new and future projects while abandoned facilities are being removed and the unfunded associated costs that will inevitably be absorbed by the consumer.

We would encourage all stakeholders to join the OUDPC in its efforts to develop broad serving, meaningful solutions that enhance our public safety / utility infrastructure protection laws.

Thank you for continued support for a safer Ohio. At this time, I would be happy to answer any questions that the committee may have.

Roger Lipscomb
President / Executive Director, OHIO811

*The OHIO811 mission is to serve the customers’ needs by providing a quality one call process to:
protect the public; protect the underground infrastructure; protect the environment.*

www.OHIO811.org