

## **§12–101. – Definitions**

(w) “Primary contractor” means the person that:

- (1) initiates the notification to the one–call system to establish a ticket;
- (2) performs excavation duties for the duration of the ticket; and

(3) is on site to supervise all activities, employees, and any temporary excavator added to the valid ticket as required in § 12–130(b) of this subtitle.

(x) “Temporary excavator” means a person that the primary contractor may identify and add as a subcontracting excavator to an existing ticket under § 12–130(c) of this subtitle.

## **§12–124. – Notice to the one-call system**

(a) Before performing excavation or demolition in the State, a person:

(1) SHALL initiate a ticket request by notifying the one–call system serving the geographic area where the excavation or demolition is to be performed; and

- (2) may add a temporary excavator to an existing ticket.

## **§12–130. – Primary contractors and Temporary Excavators**

This section applies to a primary contractor that:

- performs the excavation duties for the duration of a ticket;
- initiates the notification to the one–call system to establish a ticket;
- is on site to supervise all activities and employees; and
- intends to utilize services or equipment of a temporary excavator.”

A primary contractor... SHALL:

- notify the one–call system when a temporary excavator is to begin work...;
- inform the temporary excavator of the exact scope of work as detailed on the existing ticket;
- directly supervise the on–site activities of the temporary excavator; and assume all liability if damage should occur to an underground facility by any person named as a temporary excavator on the existing ticket...”
- “...only one temporary excavator...” can be named “...for the duration of the ticket.”
- “...a primary contractor does not include a private homeowner...”

A temporary excavator may be:

- a piece of rental equipment and its operator;
- an excavation contractor that is not an employee of the primary contractor; or
- an equipment operator that is not a direct employee of the primary contractor.”
- “The designated temporary excavator shall notify the one–call system with the associated ticket number to verify that the excavator has been hired to work for the primary contractor.”

Click [here](#) for additional information regarding the Maryland State Title 12 law.