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TESTIMONY

TO: HOUSE JUDICIARY COMMITTEE

**FROM: SCOTT HEIDNER
EXECUTIVE DIRECTOR
ACEC of KANSAS**

RE: HB 2178

DATE: FEBRUARY 12, 2019

Chainman Patton, members of the Committee, thank you for the opportunity to submit this testimony. My name is Scott Heidner, I'm the Executive Director for the American Council of Engineering Companies of Kansas (ACEC of Kansas). ACEC of Kansas is the trade association representing private consulting engineering businesses in Kansas.

We are here to express our concern about HB 2178. HB 2178 proposes change to current requirements for utility providers to locate underground facilities upon request before excavation occurs. Current laws dealing with the One-Call system were put in place to protect contractors, property owners, utilities, and the public from the risks associated with utilities being damaged during construction.

Consulting engineers rely upon utility locate requests to be as thorough and complete as possible to identify underground obstacles to avoid them as much as possible when designing public improvements for local and State projects. While the current One-Call system has its flaws, ACEC of Kansas shares the stance of the Eastern Kansas Regional Partners Stakeholder Group that any modification to the current utility locating requirements should be done in a comprehensive manner involving all stakeholders, and in a manner that provides fair benefit to all involved.

HB 2178 intends to change the law for the sole benefit of one utility. Reducing their requirements to locate underground power facilities will increase the likelihood of damaged utilities, will disrupt service to customers, and will create unsafe conditions for construction workers and the public. Any changes to these laws should only be made after a thorough and complete effort that includes representation of all parties and stakeholders.

Thank you for the opportunity to submit this testimony.