

**SENATE BILL NO. 2209**

Introduced by

Senators Krebsbach, Cook, Freborg, Urlacher

Representatives Kretschmar, Maragos

1 A BILL for an Act to amend and reenact subsection 14 of section 49-23-01 of the North Dakota  
2 Century Code, relating to the definition of one-call system operators.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Subsection 14 of section 49-23-01 of the North Dakota  
5 Century Code is amended and reenacted as follows:

6 14. "Operator" means a person who owns or operates an underground facility,  
7 including a master meter operator with underground facilities, or a state or local  
8 governmental entity. The department of transportation is ~~not~~ considered an  
9 operator for the department's facilities buried on the department's rights of way. A  
10 person is not considered an operator solely because the person is an owner or  
11 tenant of real property where underground facilities are located if the underground  
12 facilities are used exclusively to furnish services or commodities on that property.