



**Massachusetts
Association of
Land
Surveyors and
Civil
Engineers, Inc.**

One Walnut Street
Boston, MA 02108-3616

Phone (617) 227-5551
Fax (617) 227-6783
Email
malsce@engineers.org
Website www.malsce.org

Affiliated with:
National Society of
Professional Surveyors

November 2, 2021

Chair Michael J. Barrett
Chair Jeffrey N. Roy
Joint Committee on Telecommunications, Utilities and Energy

Sent by email to: Magda Garncarz at [magdalena.garncarz@mahouse.gov](mailto:magdalenagarncarz@mahouse.gov) and Dina Nathanson at dina.nathanson@masenate.gov

Re: HB 3297, **An Act supporting safe excavation practices**

Dear Chairman Barrett and Chairman Roy,

I am writing on behalf of the Massachusetts Association of Land Surveyors and Civil Engineers, the professional society of licensed land surveyors in the Commonwealth. I currently serve as MALSCE's President. I have worked in land surveying profession for more than 38 years. During my career, I have worked on thousands of State, Municipal, and private sector projects. In many projects, early utility location has been critical for project safety, time, and budget. I am a constituent of Chair Jeffrey Roy, as I live in Franklin.

The land surveying and engineering community supports **House Bill 3297, An Act supporting safe excavation practices**.

Under the current law, Professional Land Surveyors do not have access to the Dig Safe System. This important bill will amend current DIG SAFE law [MGL c. 82, §§40, 40A- 40B] to add the term Professional Land Surveyor and its definition. That amendment would allow surveyors to gain access to utility location information at the preliminary design phase for a project.

HB 3297 will help reduce the number of construction change orders for public and private sector projects and improve construction site safety. It will protect and safeguard vital underground utilities such as gas lines, fiber optic conduit, and other public and private systems.

Surveyors have always embraced technology such as robotics, drones and Global Positioning Systems. But we are at a strict disadvantage by not having access to the best available utility information at the very beginning of projects.

As you know, many public utility systems run underground through pipes and conduits. Identifying the location of these systems and abandoned pipes and conduits is a critically important step in the design and construction of infrastructure improvements. The current Massachusetts Dig Safe law does not fully reflect the current recommendations of the Common Ground Alliance. The Dig Safe Law needs to be updated for public safety and to prevent inconvenience to the public during construction.

Currently, the Dig Safe law does not require Dig Safe to assist a PLS or Professional Engineer (PE) with actual utility siting during the planning phase of the project, only once construction is about to begin. As a result, a PLS does not have all the necessary information about where they will be digging during a critical part of the process, which can ultimately cause problems during construction. Having the markings from Dig Safe is becoming more important than ever before, as Dig Safe and the utilities have maps that may include existing, abandoned, and out-of-service facilities that are critical to a PLS in the design phase.

In Summary:

- HB 3297 would add the term “Professional Land Surveyor” and its definition to allow for the Dig-Safe law to be applicable for surveyors to obtain utility location information at the preliminary design phase for a facility, which would greatly assist the design and construction of the facility, including safety for workers as well as the public.
- HB 3297 will help land surveyors access Dig-Safe information earlier in a project, when the project is in preliminary design. Specific, accurate utility location information at the design phase of projects will promote more efficient design and construction of facilities and protect the public, utility company assets and the lives of contractors. The proposed change to Section 40B makes this provision applicable to surveyors as well as excavators to ensure proper notice of the markings.
- HB 3297 will help to reduce the number of construction change orders for public and private sector projects, saving money during construction and improving construction site safety.

I respectfully request this Committee to give a favorable report on HB 3297. For more information, please contact Abbie Goodman, agoodman@engineers.org or 617-305-4112.

Sincerely yours,



J. Dan Bremser, PLS, MALSCE President
c/o Massachusetts Association of Land Surveyors and Civil Engineers
One Walnut St,
Boston, MA 02108
dbremser@hancockassociates.com