

To locate or not to locate, that is the question

By Kayla Countryman

While the title of this article is borrowed from Shakespeare, it illustrates the question facing our members on how best to comply with Locate Law. During WCIA's September 17 training sessions, participants explored [RCW 19.122.030](#) and its impact on excavators and facility operators. The goal: make sense of complicated requirements and recent legal updates, helping members turn confusion into clarity.

Locating Private Lines

A key point of discussion in both sessions involved the obligation to locate privately owned service laterals that connect to a main line within the public right-of-way. There has been some confusion among members who assume that they are only responsible for locating the lines they own. However, RCW 19.122.030(3)(c) makes it clear: facility operators must mark their own utilities and any laterals connecting end users to the operator's main line, as long as the laterals fall within the excavation area and are within a public right-of-way or utility easement.

This requirement is also where we see the greatest number of claims arise. When laterals are not properly marked and an excavator damages them, members can face significant liability. In one WCIA-handled claim, a member failed to locate a service lateral in the right-of-way, which led to damage to a restaurant sewer line. The result was a sewage backup, business closure, repairs, cleaning, and lost income claims from both the restaurant and its employees. While that claim was resolved quickly, it illustrates just how quickly damages can escalate.

Changes to Dig Law

Several important updates to the law are now in effect or soon to come.

- As of June 27, 2025, design locating is required for any development permit within 700 feet of a transmission pipeline. Pipeline operators must provide this information within 30 days of receiving a request.
- Starting in January 2026, excavators may not begin digging until they have received a positive response from every facility operator with underground utilities in the area.
 - ✓ This change raised concerns in WCIA's training sessions, given the potential for project delays. If you have not received all necessary responses, excavators are encouraged to file a "no-show" ticket with 811 to document the lack of response. In addition, complaints may be submitted to the Washington Utilities and Transportation Commission (UTC) either by phone or by emailing consumer@utc.wa.gov.

Looking Ahead

The takeaway from the training is that understanding and complying with the Locate Law is vital, both for legal compliance and for avoiding costly claims. Whether it involves marking private service laterals or adjusting to new requirements, members play a key role in managing risk. With recent changes now in effect, careful planning and thorough documentation – including the use of photos – are more critical than ever when responding to potential issues or handling claims. By being proactive, diligent, and well-informed, members can better protect their communities, finances, and projects. Stay tuned for WCIA's next "Splash of Risk" training for additional insights and risk management tools.