

HB 3571: Changes to South Carolina's Underground Facility Law Coming in May 2026

HB3571 was officially passed on May 22, 2025. This marks the first revision to South Carolina's Underground Facility and Damage Prevention Act since 2012. The updates are designed to enhance damage prevention throughout the state and will take effect on May 22, 2026. Here's a brief overview of some key updates you should be ready for:

Disclaimer: This page summarizes certain select legislative changes for the convenience of intended recipients and is not a word-for-word or complete version of any laws or changes. Do not rely on this document as a statement of law and always refer to official versions.

Updated and New Definitions

Several definitions have been updated and new definitions have been added.

- **Updated Definitions Include:** Emergency, Excavate, and Operator
- **New Definitions Includes:** Soft Digging, Project Initiator, Private Facility, Pre-marking, Notice, Large project Facility Notification Agreement, Large Project, and Commencement Date

What does this mean for me?

All Stakeholders



These updated definitions and new terms provide greater clarity and consistency in how excavation work, large projects, and utility responsibilities are described under the law. Everyone including excavators, locators, facility operators, and other stakeholders should review and understand the changes so that all parties are using the same language. This ensures smoother communication, reduces misunderstandings, and helps keep all stakeholders aligned with the updated legal requirements.

Emergencies & Damages

A significant update has been made regarding emergency procedures. An emergency is defined as a sudden or unforeseen event involving a clear and imminent danger to life, health, or property; the interruption of essential **existing** utility services; or the blockage of transportation facilities, including highway, rail, water and air, which requires immediate action. The person responsible for the emergency excavation must be on site, in route, or in communication with the operator through positive response within three hours. Member Operators are required to respond within three hours of receiving an emergency ticket notification. Submitting false emergency claims will be considered a violation. If damage occurs during an emergency excavation, a damage report must be submitted to the notification center.

What does this mean for me?

Excavators



Excavators must only submit emergency notifications when an existing utility service has been interrupted. After placing an emergency ticket, the responsible party must be on-site or arrive within three hours. Any damages that occur must be reported to the notification center through a damage report, and any false emergency claims will be considered a violation.

Locators



Locators are required to respond to emergency ticket notifications within three hours of receiving them.

Facility Operators



For Facility Operators, emergency tickets submitted online by authorized users will not require additional verification from the notification center. Member Operators are required to respond to all emergency notifications within three hours. Quarterly report submissions are required to be provided to the notification center of damages to their facilities.

Large Project Tickets

A large project is defined as a project involving extensive digging or demolition where locating underground lines and excavation work takes longer than the typical timeframes set by standard locate notice guidelines. Large projects are expected to take longer than 90 days to complete or are classified as projects stretching beyond 1 mile in length or covering a 2 square mile area.

The project initiator, who is the person or organization responsible for launching large projects, must arrange a planning meeting. A 30-day advance notice to SC811 is required before the start of any large project. After submitting the large project, the initiator must notify all relevant parties and schedule a planning meeting within 15 days.

What does this mean for me?

Excavators



Excavators must provide a 30-day advance notice to SC811 when beginning a large project. They are responsible for coordinating and participating in a planning meeting with facility operators and locators. Since large projects extend beyond standard ticket timelines, excavators should expect to manage excavation in phases and maintain communication throughout the life of the project.

Locators



Locators should expect to participate in planning meetings and coordinate with multiple utility operators to establish marking schedules. Large projects often require phased or repeated locates, so ongoing communication and coordination will be essential.

Facility Operators



Facility Operators are expected to respond to large project notifications within 15 days by participating in or providing input for planning meetings. They play a key role in coordinating with locators and excavators to ensure underground utilities are properly identified and scheduled. In many cases, phased ticketing or marking schedules will be established to support safe and efficient work.

Fines and Penalties

Civil penalties can reach up to \$5,000 for each violation, while certain specific violations may incur penalties as high as \$25,000 each. Complaints submitted to the Attorney General's office must be filed within 45 days of the alleged infraction. Additionally, any entity that operates, manages, maintains, or oversees a facility is required to be a member of SC811.

What does this mean for me?

Excavators



Excavators may face penalties of up to \$5,000 per violation, and certain violations could incur fines as high as \$25,000. Complaints can be filed within 45 days of an alleged violation. To avoid penalties, excavators must strictly follow law requirements, excavation procedures, and damage reporting requirements.

Locators



Locators may be held accountable for violations if they fail to respond to requests, do not meet marking deadlines, or provide inaccurate marks. Penalties can reach \$5,000 per violation, with certain violations incurring fines up to \$25,000.

Facility Operators



Facility Operators are required to maintain membership with SC811. Any facility operator, manager, or overseer who fails to comply with membership or notification responsibilities may face penalties of up to \$5,000 per violation, with certain cases carrying fines as high as \$25,000.

All Stakeholders



All stakeholders have the right to file a complaint if they believe a violation has occurred, and we encourage providing as much detail as possible, including photos or communication records, if available, to help with review. We also remind all stakeholders to familiarize themselves with the law and follow its requirements to ensure compliance and avoid potential fines or penalties.