

OVERVIEW OF THE MOST SIGNIFICANT LEGISLATIVE AND REGULATORY CHANGES (as of May 1, 2024)

Changes affecting Infrastructure Owners

- 1) **No Charge for Locates:** Infrastructure owners and operators are prohibited from charging for the locates they provide.
- 2) **60-day validity:** Infrastructure Owners must have a minimum 60-day validity period for their locates.
- 3) **Single Address Request timeline:** Infrastructure Owners have 5 business days to complete a single address locate and 3 business days to mark it complete or cleared in 360.
- 4) **Advanced Request timeline:** Infrastructure Owners have 10 business days to complete an advanced request and 3 business days to mark it complete or cleared in 360.
Advanced request refers to a large excavation project which is defined as:
 - a) at least two properties or parts of properties, each having its own municipal address, or
 - b) one or more properties or parts of properties, at least one of which has no municipal address.

To learn more about advanced requests, please [Click Here](#).

- 5) **Dedicated Locator:** All Infrastructure Owners, except Transmission lines, must participate in Dedicated Locator. For more on Dedicated Locator, [Click Here](#)

- 6) **Notification of delay:** If an Infrastructure Owner is going to be late in delivering a locate they are required to notify Ontario Dig Authority. Check out our Best Practice on How to Give Notice of Delay: [Click Here](#)
- 7) **Change in information after a locate was completed:** Provided that a locate is still valid, if an Infrastructure Owner becomes aware of any change in information that was provided, they must notify Ontario Dig Authority, the Excavator (if the information was provided for a standard locate), and the Project Owner and Dedicated Locator (if the information was provided for a project involving a Dedicated Locator) within 2 business days. To learn more, [Click Here](#)

Changes affecting Excavators

- 1) **Sharing locates:** Excavators can now share the locates. Tip: When requesting a locate add additional names of the people or companies you plan to share with. Get more details by checking out our Best Practice on Sharing Locates: [Click here](#)
- 2) **30-day rule:** Excavators cannot request a locate to be delivered unless they expect excavation to begin within 30 days. OUINS Act Section 12 (1)
- 3) **Do not dig without locates:** Excavators cannot dig unless all locates are completed and all locates are valid - not expired. If locate markings are no longer visible they are considered expired. OUINS Act Section 10 (1) & (2) and Section (8) (3)
- 4) **Excavator Recourse** – Excavators can seek compensation from an Underground Infrastructure Owner if there is a financial loss or expense incurred if the Infrastructure Owner has provided inaccurate locates or clearance. The Excavator Recourse is no longer available for late locates.- To find out more [Click Here](#)



- 5) Differentiation between **Single Address Locate and Advanced Requests**: Excavators will be able to select single address requests or advanced requests when requesting locates in the web portal. Click [here](#) to learn more.

Changes affecting all stakeholders

- 1) **Administrative Penalties**: This regulation gives Ontario Dig Authority the ability to include administrative penalties among their available compliance tools. The organization's compliance activities are aimed at promoting safe excavation practices and supporting industry locate performance improvement.

The amended regulation can be accessed via this [link](#).

Questions about the regulatory and legislative changes?

Contact our Compliance Team at Compliance@OntarioDigAuthority.ca

