

STAGES OF A CITATION

Violations of Florida Law on Excavation Practices:
WHAT YOU NEED TO KNOW



1

RECEIVING NONCRIMINAL CITATION

Violations include:

- › Not having valid locate ticket (*must be requested at least 2 full business days before digging*)
- › Failure to locate and mark buried or submerged lines
- › Digging or failing to stop digging when marks are not visible
- › Failure to stop digging when an underground facility is contacted – even when no damage is visible
- › Emergency ticket does not match definition in law
- › Other violations in Fla. Stat. 556.107

*Officer issues citation to any employee or on-site representative of a contractor or utility
Issuer may require excavator to cease work or delay start until compliance with provisions of law involved in infraction*



2

CITATION DELIVERED TO CLERK OF COURT IN COUNTY WHERE INFRACTION OCCURS BY ISSUER

Citation received and case number assigned

- › Individual named on ticket is responsible for paying fine
- › Individual has right to request hearing on the infraction in lieu of paying a fine



3

LEVELS OF CITATION / FINES

Varies from \$500 and \$2,500 up to \$50,000 plus court costs for each infraction

- › \$500 civil penalty for all infractions **NOT INVOLVING** *PHMSA regulated facilities
- › \$2,500 civil penalty for infractions **INVOLVING** PHMSA regulated facilities
- › Up to \$50,000 civil penalty for infractions described in Fla. Stat. 556.116



4

HEARING

State Attorney or judge can mandate court appearance or issue arrest warrant

- › If civil penalty is not paid and no court appearance requested
- › If hearing is requested and requestor does not appear

*Pipeline Hazardous Materials Safety Administration

