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## Notice of New Regulation

Trench Safety Regulation  
520 CMR 14.00

- The new PUBLIC SAFETY/DOS regulations are required by statute (M.G.L. c. 82A) and are designed to prevent the general public from falling into an unattended trench.
- M.G.L. c. 82A and 520 CMR 14.00 apply to all “construction-related” trenches on public ways, public property, *and* private property.
- A “Trench” is defined as a subsurface excavation greater than 3’ in depth, and 15 feet or less between soil walls as measured from the bottom.
- The Regulations have 2 major components:
  - ✓ All excavators must obtain a trench permit and post it in plain view of the excavation site.
  - ✓ The Permitting Authority may be either the city or town in which the trench is located or, in the case of state-owned or controlled land, it may be that state agency or authority. A list of Permitting Authorities for each municipality with contact information is available on the Department’s website at [www.mass.gov/dps](http://www.mass.gov/dps).
  - ✓ All excavators must take steps to secure the trench whenever it is unattended in one of the following ways authorized by 520 CMR 14:00.
    1. Attendance: an excavator may post a detail to monitor the site.
    2. Barricades: barricades must be at least 6’ high with no openings greater than 4” between vertical supports and all horizontal supports required to be located on the trench side of the fencing. Barricades must be securely locked and clearly marked on all sides with signs indicating “Danger- Do No Enter” “Authorized Personel Only” or equivalent warning.
    3. Covers: covers must be road plates at least ¾” thick or equivalent
    4. Backfilled: the trench may be backfilled so that it no longer meets the definition of a “trench”.
- Failure to secure a permit is grounds for an immediate shut down of the site by the Permitting Authority. Therefore, if you do not see a Permit at the site, please contact the Permitting Authority in your city of town for further action.
- This is only a summary of the regulation. Please read the full regulation and obtain further information at [www.mass.gov/dps](http://www.mass.gov/dps) or [mass.gov/dos](http://mass.gov/dos).