

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 1027
Commerce Committee Substitute Adopted 4/29/97

Short Title: Amend Voltage Safety Act.

(Public)

Sponsors:

Referred to:

April 21, 1997

1 A BILL TO BE ENTITLED
2 AN ACT TO MODIFY THE HIGH-VOLTAGE LINE SAFETY ACT.

3 The General Assembly of North Carolina enacts:

4 Section 1. G.S. 95-229.6(4) reads as rewritten:

5 "(4) 'Person responsible for the work to be done' means the person
6 performing or controlling the ~~job-work~~, or the governmental entity that
7 necessitates the precautionary safety measures required by this Article."

8 Section 2. G.S. 95-229.7(a) reads as rewritten:

9 "(a) Unless danger of contact with high-voltage lines has been guarded against as
10 provided by G.S. 95-229.8, 95-229.9, and 95-229.10, the following actions are
11 prohibited:

12 (1) No person shall, individually or through an agent or employee, perform,
13 or require any other person to perform, any work upon any land,
14 building, highway, or other premises that will cause:

- 15 a. Such individual, agent, employee, or other person to be placed
16 within six feet of any overhead high-voltage line; or any part of
17 any tool or material used by the agent, employee, or other person
18 to be brought within six feet of any overhead high-voltage line,
19 or

- 1 b. Any part of any covered equipment or covered item used by the
2 individual, agent, employee, or other person to be brought within
3 10 feet of any high-voltage line.
- 4 (2) No person shall, individually or through an agent or employee or as an
5 agent or employee, erect, construct, operate, maintain, transport, or store
6 any covered equipment or covered item within 10 feet of any high-
7 voltage line, or such greater clearance as may be required under the
8 circumstances by OSHA, except as provided herein. This prohibition
9 shall not apply, however, to covered equipment as defined herein when
10 lawfully driven or transported on public streets and highways in
11 compliance with applicable height restrictions. The required clearance
12 from high-voltage lines shall be not less than four feet when:
- 13 a. Covered equipment as defined herein is lawfully driven or
14 transported on public streets and highways in compliance with
15 the height restriction applicable thereto,
16 b. Refuse collection equipment is operating, or
17 c. Agricultural equipment is operating.
- 18 (3) No person shall, individually or through an agent or employee or as an
19 agent or employee, operate or cause to be operated an airplane or
20 helicopter within 20 feet of a high-voltage line, except that no clearance
21 is specified for licensed aerial applicators that may incidentally pass
22 within the 20-foot limitation during normal operation.
- 23 (4) No person shall, individually or through an agent or employee or as an
24 agent or employee, store or cause to be stored any materials that are
25 expected to be moved or handled by covered equipment or any covered
26 item within 10 feet of a high-voltage line.
- 27 (5) No person shall, individually or through an agent or employee or as an
28 agent or employee, provide or cause to be provided additional clearance
29 by either (i) raising, moving, or displacing any overhead utility electric
30 ~~lines of any type or nature including high voltage, low voltage, telephone,~~
31 ~~cable television, fire alarm, or other lines~~ or (ii) pulling or pushing any
32 pole, guy, or other structural appurtenance.
- 33 (6) No person shall, individually or through an agent or employee or as an
34 agent or employee, excavate or cause to be excavated any portion of any
35 foundations of structures, including guy anchors or other structural
36 appurtenances, which support any overhead utility electric lines of any
37 ~~type or nature, including high voltage, low voltage, telephone, cable~~
38 ~~television, fire alarm, or other lines."~~

39 Section 3. G.S. 95-229.8(a) reads as rewritten:

- 40 "(a) No person shall, individually or through an agent or employee or as an agent or
41 employee, operate any covered equipment in the proximity of a high-voltage line unless
42 warning signs are posted and maintained as follows:

- 1 (1) A sign shall be located within the equipment and readily visible and
2 legible to the operator of such equipment when at the controls of such
3 equipment; and
4 (2) Signs shall be located on the outside of equipment so as to be readily
5 visible and legible at 12 feet to other persons engaged in the work
6 operations.

7 This subsection shall not apply to handheld ~~tools and tools,~~ handheld equipment
8 equipment, and other items which by their size or configuration cannot accommodate the
9 warning signs specified in G.S. 95-229.6(5)."

10 Section 4. This act is effective when it becomes law and applies to contracts
11 entered into after October 1, 1996.