

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 1027
Commerce Committee Substitute Adopted 4/29/97
Third Edition Engrossed 4/30/97

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 that necessitates the
7 precautionary safety measures required by this ~~Article~~Article, unless
8 the person performing or controlling the work is under contract or
9 agreement with a governmental entity, in which case 'person responsible
10 for the work to be done' means that governmental entity."

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

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

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

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

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

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

5 (1) A sign shall be located within the equipment and readily visible and
6 legible to the operator of such equipment when at the controls of such
7 equipment; and

8 (2) Signs shall be located on the outside of equipment so as to be readily
9 visible and legible at 12 feet to other persons engaged in the work
10 operations.

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

14 Section 4. This act is effective when it becomes law and applies to contracts
15 entered into after October 1, 1997.