

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 893

Session of
1975

INTRODUCED BY ENGLEHART, VALICENTI, NOVAK, FEE, MANDERINO,
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M. E. MILLER, HASKELL, TRELLO, ABRAHAM, BLACKWELL, ROSS,
WARGO, MUSTO, MRKONIC, FLAHERTY AND FISCHER, MARCH 20, 1975

REFERRED TO COMMITTEE ON LABOR RELATIONS, MARCH 20, 1975

AN ACT

1 Providing for precautions to be taken in the proximity of high-
2 voltage lines for the prevention of accidents; providing
3 powers of administration and enforcement to the Department of
4 Labor and Industry and prescribing penalties for violations.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Definitions.--As used in this act:

8 "Department" means the Department of Labor and Industry.

9 "High-voltage lines" means electrical conducting lines, wires
10 or cables having a voltage differential in excess of 750 volts
11 between any pair of conductors or between any conductor and
12 ground.

13 Section 2. Prohibited Activity.--(a) No employer or
14 supervising agent of an employer shall require or permit an
15 employee to participate in the operation, erection,
16 transportation, handling, or storage of any tools, machinery,
17 equipment, supplies, materials, or apparatus or the moving of
18 any building, if in the course of such operation, erection,

1 transportation, handling, storage or moving it is possible for
2 such tools, machinery, equipment, supplies, materials, apparatus
3 or building, to come within six feet of a high-voltage line, or
4 to participate in any activity which would cause the employee to
5 come within six feet of a high-voltage line, unless
6 precautionary action has been taken to protect against the
7 danger from contact with such high-voltage line, either by de-
8 energizing such high-voltage line and grounding it where
9 necessary, or by using other effective methods or devices which
10 have been approved in advance by the department for the
11 particular case and for the particular location.

12 (b) No person shall operate, erect, transport, handle or
13 store any tools, machinery, equipment, supplies, materials or
14 apparatus, or move any building, if in the course of such
15 operation, erection, transportation, handling, storage or
16 moving, it is possible for such tools, machinery, equipment,
17 supplies, materials, apparatus or building, to come within six
18 feet of a high-voltage line unless precautionary action has been
19 taken to protect against the danger from contact with such high-
20 voltage line either by de-energizing such high-voltage line and
21 grounding it where necessary, or by using other effective
22 methods or devices which have been approved in advance by the
23 department for the particular case and for the particular
24 location.

25 (c) In no case shall the required six-foot clearance be
26 provided by moving or displacing any conductor, except where the
27 same is temporarily relocated pursuant to arrangements made with
28 the owner or person in charge of the high-voltage line.

29 (d) No employer or supervising agent of an employer shall
30 require or permit an employee to, and no employee shall

1 participate in the erection, maintenance, repair, construction
2 or installation, whether or not such work is for emergency
3 purposes, of high-voltage lines having a voltage differential in
4 excess of 13,200 volts between any pair of conductors or in
5 excess of 7,600 volts between any conductor and ground, unless
6 any and all such conductors are de-energized before such work is
7 commenced, or unless such work is performed on any energized
8 conductor or equipment through approved hot stick methods which
9 do not include handling such high-voltage lines with gloves or
10 bare handed method.

11 Section 3. Warning Sign Required.--The owner, agent, lessee,
12 bailee, user, or employer responsible for the operations of
13 equipment capable of coming in contact with a high-voltage line
14 in the course of its operation, shall post and maintain in plain
15 view of the operator on each piece of such equipment, an
16 approved durable warning sign legible at a distance of 12 feet
17 reading "Unlawful to operate this equipment within six feet of
18 high-voltage lines." The owner, agent, lessee, bailee, user, or
19 employer responsible for the operations of equipment shall
20 provide such other warning signs on equipment or at the work
21 site as may be required by regulations promulgated hereunder.
22 The requirement that warning signs be posted shall not apply to
23 railway equipment operating on railway right-of-way in relation
24 to high-voltage conductors of such railway system under
25 conditions for which exemption is granted under section 7.

26 Section 4. Notification to Power Company and Responsibility
27 for Safeguards.--Whenever activity is to be performed requiring
28 precautionary action under section 2, the employer, contractor
29 or other person responsible for the activity shall, promptly
30 notify the owner or person in charge of the high-voltage line of

1 the intended activity and shall fully comply with and shall be
2 responsible for the cost and for the completion of the
3 precautionary action required under section 2 before proceeding
4 with such activity.

5 Section 5. Enforcement.--The department shall administer and
6 enforce the provisions of this act and is hereby empowered to
7 prescribe and promulgate rules and regulations consistent
8 herewith.

9 Section 6. Penalties.--Any person violating any of the
10 provisions of this act shall be liable to a penalty of \$300 in a
11 summary proceeding. Any violation of the act by an officer,
12 agent or employee shall also be a violation of the act by his
13 employer if such employer had knowledge of and actual control
14 over the cause of such violation. Where the violation is of a
15 continuing nature each day during which it continues, shall
16 constitute an additional, separate and distinct offense.

17 Section 7. Exceptions.--(a) This act shall not be construed
18 as applying to the construction, reconstruction, operation, and
19 maintenance of overhead electrical circuits or conductors and
20 their supporting structures and associated equipment of rail
21 transportation systems.

22 (b) This act shall not be construed as abrogating any
23 existing collective bargaining agreement.