

**PRECAUTIONS TO BE TAKEN IN THE
PROXIMITY OF HIGH-VOLTAGE LINES
FOR THE PREVENTION OF ACCIDENTS**

(R. S. 34:6-47.1.)

ARTICLE 3A (NEW) HIGH-VOLTAGE LINES

AN ACT to provide the precautions to be taken in the proximity of high-voltage lines for the prevention of accidents; to make provisions for the administration and enforcement thereof by the Commissioner of Labor and to prescribe penalties for violations thereof.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Definitions. For the purpose of this act:

a. "Commissioner" shall mean the Commissioner of Labor or any of his authorized representatives.

b. "Department" shall mean the Department of Labor, or the Division of Engineering and Safety of the department.

c. "Approved" shall mean approved by the commissioner.

d. "High-voltage" shall mean a voltage in excess of seven hundred fifty volts between conductors or from any conductor to ground.

e. "Overhead lines" shall mean all bare or insulated electrical conductors installed above ground, excepting those conductors that are enclosed in approved metal covering.

2. General provisions. No person, firm, or corporation, or agent of same, shall require or permit any employee to perform any function in proximity

to high-voltage lines; to enter upon any land, building, or other premises and there to engage in any excavation, demolition, construction, repair or other operation; or to erect, install, operate or store in or upon such premises any tools, machinery, equipment, materials, or structures, including house moving, well drilling, pile driving or hoisting equipment, unless and until danger from accidental contact with said high-voltage lines has been effectively guarded against in the manner hereinafter prescribed.

3. Clearance or safeguards required. The operation, erection or transportation of any tools, machinery, or equipment, or any part thereof capable of vertical, lateral, or swinging motion, the handling, transportation or storage of any supplies, materials or apparatus, or the moving of any house or other building, or any part thereof, under, over, by or near high-voltage lines, is hereby expressly prohibited, if at any time during such operation, transportation or other manipulation it is possible to bring such equipment, tools, materials, building or any part thereof within six feet of such high-voltage lines, except where such high-voltage lines have been effectively guarded against danger from accidental contact, by either:

(1) The erection of mechanical barriers to prevent physical contact with high-voltage conductors; or

(2) De-energizing the high-voltage conductors and grounding where necessary.

Only in the case of either such exception may the six foot clearance required be reduced. The required six foot clearance shall not be provided by movement of the conductors through strains impressed, by attachments or otherwise, upon the structures supporting the high-voltage line nor upon any equipment, fixtures or attachments thereon.

If temporary relocation of the high-voltage conductors is necessary appropriate arrangements shall be made with the owner or operator of the overhead line for such temporary relocation.

4. Warning sign required. The owner, agent, or employer responsible for the operations of equip-

ment, shall post and maintain in plain view of the operator on each crane, derrick, power-shovel, drilling-rig, hay-loader, hay-stacker, pile-driver, or similar apparatus, any part of which is capable of vertical, lateral or swinging motion, an approved durable warning sign legible at twelve feet reading, "Unlawful to operate this equipment within six feet of high-voltage lines"; *provided, however*, that this requirement shall not apply to railway equipment operating on railway right of way in relation to high-voltage conductors of such railway system under conditions for which exemption is granted under section eight of this act.

5. Notification to power company and responsibility for safeguards. When any operations are to be performed, tools or materials are to be handled, or equipment is to be moved or operated, within six feet of any high-voltage line, the person or persons responsible for the work to be done, shall promptly notify the operator of the high-voltage line of the work to be performed and such person shall be responsible for the completion of the safety measures, which are required by sections two and three of this act, before proceeding with any work which would impair the aforesaid clearance.

6. Enforcement. The commissioner shall administer and enforce the provisions of this act and he is hereby empowered to prescribe and promulgate rules and regulations consistent herewith.

7. Violations made misdemeanors; punishment. Any person, firm, corporation or agent of the same; who fails to comply with or who violates any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be liable to a fine of not less than twenty-five dollars (\$25.00) nor more than one thousand dollars (\$1,000.00), or imprisonment not exceeding one year, or both, in the discretion of the court. All fines collected shall be delivered to the State Treasurer for the general use of the State.

8. Exceptions. This act shall not be construed as applying to, shall not apply to, and is not intended to apply to, the construction, reconstruction, operations, and maintenance of overhead elec-

trical conductors and their supporting structures and associated equipment by authorized and qualified electrical workers; nor to the authorized and qualified employees of any person, firm, or corporation engaged in the construction, reconstruction, operation, and maintenance of overhead electrical circuits or conductors and their supporting structures and associated equipment of rail transportation systems, or electrical generating, transmission, distribution, and communication systems. This exception when applied to railway systems, shall be construed as permitting operation of standard rail equipment, which is normally used in the transportation of freight or passengers or both and the operation of relief trains, or other equipment in emergencies, or in maintenance of way service, at a distance of less than six feet from any high-voltage conductor of such railway system; but this act shall be construed as prohibiting normal repair or construction operations at a distance of less than six feet from any high-voltage conductor by other than properly qualified and authorized persons or employees under the direct supervision of an authorized person who is familiar with the hazards involved, unless there has been compliance with the safety provisions of sections two, three, four and five hereof.

9. In case any provision of this act shall be adjudged unconstitutional or void for any reason, such adjudication shall not affect any of the other provisions of this act.

10. This act shall take effect immediately.

(P. L. 1948, Chap. 249).

Approved July 21, 1948.

NEW JERSEY DEPARTMENT OF LABOR

~~Henry C. Harper~~, Commissioner

Percy A. Miller, Jr. July 21, 1948