

34:6-49.1

LEGISLATIVE HISTORY CHECKLIST

NJSA: 34:6-4 9.1 (High Voltage lines-- prohibited activities nearby-- increase penalties)

CHAPTER 124

Laws Of: 1987

Bill No: A2658

Sponsor(s): Marsella

Date Introduced: May 22, 1986

Committee: Assembly: Energy and Natural Resources

Senate: Law, Public Safety and Defense

Amended during passage: No

Date of Passage: Assembly: September 29, 1986

Senate: April 23, 1987

Date of Approval: May 20, 1987

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

ASSEMBLY, No. 2658
STATE OF NEW JERSEY

INTRODUCED MAY 22, 1986

By Assemblyman MARSELLA

AN ACT to amend the title of "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 Industry, and to prescribe penalties for violations thereof," approved July 21, 1948 (P. L. 1948, c. 249), as said title was amended by P. L. 1966, c. 261, so that the same shall read "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," to amend the body of said act, and to amend P. L. 1966, c. 261.

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

1 1. The title of P. L. 1948, c. 249, as said title was amended by
2 P. L. 1966, c. 261, is amended to read as follows: An act to provide
3 the precautions to be taken in the proximity of high-voltage lines
4 for the prevention of accidents; to make provisions for the
5 administration and enforcement thereof by the Commissioner of
6 Labor **[and Industry]**, and to prescribe penalties for violations
7 thereof.

1 2. Section 1 of P. L. 1948, c. 249 (C. 34:6-47.1) is amended to read
2 as follows:

3 1. **[Definitions. For the purpose of]** *As used* in this act:
4 a. "Commissioner" **[shall mean]** *means* the Commissioner of
5 Labor **[and Industry]** or any of his authorized representatives.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.
Matter printed in italics *thus* is new matter.

6 b. "High-voltage lines" means electrical conductors installed
 7 above ground and having a voltage differential in excess of 750
 8 volts between any pair of conductors or between any conductor and
 9 ground. In the case of alternating current, the voltage shall be
 10 measured in R.M.S. value. This definition shall not include
 11 approved armored cable used to supply power to portable equip-
 12 ment and insulated power cables enclosed in approved metallic race-
 13 ways.

1 3. Section 6 of P. L. 1966, c. 261 (C. 34:6-47.7a) is amended to
 2 read as follows:

3 6. Any person violating any of the provisions of **[this act]** *P. L.*
 4 *1948, c. 249 (C. 34:6-47.1 et seq.)* shall be liable to a penalty of not
 5 less than **[\$25.00]** *\$500.00* nor more than **[\$500.00]** *\$5,000.00* to be
 6 collected in a civil action by a summary proceeding under "the
 7 **[Penalty Enforcement Law]** *penalty enforcement law*" (N. J. S.
 8 2A:58-1 *et seq.*). Any violation of **[the act]** *P. L. 1948, c. 249 (C.*
 9 *34:6-47.1 et seq.)* by an officer, agent or employee shall also be a
 10 violation of **[the act]** *P. L. 1948, c. 249 (C. 34:6-47.1 et seq.)* by
 11 his employer if such employer had knowledge of and actual control
 12 over the cause of such violation. Where the violation is of a con-
 13 tinuing nature each day during which **[is]** *it* continues, shall con-
 14 stitute an additional, separate and distinct offense.

15 The commissioner is hereby authorized and empowered to com-
 16 promise and settle any claim for a penalty under this section in such
 17 amount in the discretion of the commissioner as may appear appro-
 18 priate and equitable under all of the circumstances.

1 4. This act shall take effect immediately.

STATEMENT

The bill increases the fines imposed on violators of P. L. 1948,
c. 249 (C. 34:6-47.1 et seq.) concerning certain activities near high-
 voltage lines to emphasize the risks inherent in working close to
 high-voltage lines.

ENERGY

**Increases penalties for violations of certain activities near high-
 voltage lines.**

ASSEMBLY, No. 2658

STATE OF NEW JERSEY

INTRODUCED MAY 22, 1986

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ENERGY

Increases penalties for violations of certain activities near high-
 voltage lines.

ASSEMBLY ENERGY AND NATURAL RESOURCES
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2658

STATE OF NEW JERSEY

DATED: SEPTEMBER 15, 1986

The Assembly Energy and Natural Resources Committee favorably reported Assembly Bill No. 2658. This bill increases the fines imposed on violators of P. L. 1948, c. 249 (C. 34:6-47.1 et seq.) concerning certain activities near high-voltage lines to make them appropriate to the potential consequences of violations.

SENATE LAW, PUBLIC SAFETY AND DEFENSE
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2658

STATE OF NEW JERSEY

DATED: FEBRUARY 19, 1987

The Senate Law, Public Safety and Defense Committee favorably reports Assembly Bill No. 2658.

This bill increases the fines imposed on violators of P. L. 1948, c. 249 (C. 34:6-47.1 et seq.), the law which deals with certain activities near high-voltage lines, in order to make the fines appropriate to the potential consequences of violations.

Under current law, section 2 of P. L. 1948, c. 249 (C. 34:6-47.2) prohibits a supervisor from requiring or permitting, and prohibits a person from performing, any work involving tools or the movement of a building if, during the work, it is possible that machinery or supplies will come within six feet of a high-voltage line, unless precautionary action has been taken to protect against the consequences of contact with the high-voltage line. Section 4 of P. L. 1948, c. 249 (C. 34:6-47.4) requires an employer to post a warning sign reading "Unlawful to operate this equipment within six feet of high-voltage lines."

This bill amends section 6 of P. L. 1966, c. 261 (C. 34:6-47.7a) to raise the penalty for a violation of the prohibitions in P. L. 1948, c. 249 to a minimum of \$500.00 and a maximum of \$5,000.00. At present, the penalty for a violation is set at not less than \$25.00 or more than \$500.00. Each day during which the violation continues constitutes a separate offense.