

**54-8c-4 Violation.**

- (1) Any responsible party who causes, permits, or allows a function or an activity in violation of any provision of this chapter is subject to a civil penalty in an amount not to exceed \$1,000, to be imposed by any court of competent jurisdiction against this party and in favor of the state. If imposed, the fine shall be paid into the General Fund.
- (2) Actions to recover the civil penalty under this section shall be brought by a public utility or the county attorney of the county in which the violation occurs.
- (3) A responsible party is liable to the public utility operating the high voltage overhead line for all damages to the facilities and for all liability incurred by the public utility as a result of any contact if:
  - (a) the responsible party causes, permits, or allows a function or an activity in violation of any provision of this chapter; and
  - (b) as a result, a physical or electrical contact with a high voltage overhead line occurs.

Enacted by Chapter 250, 1988 General Session