

**OUTDOOR ADVERTISING STRUCTURES NEAR
POWER LINES**

2001 GENERAL SESSION

STATE OF UTAH

Sponsor: Mike Dmitrich

This act modifies the Public Utilities Code to exempt employee or agents of outdoor advertising companies from certain process before working on outdoor advertising.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

54-8c-1, as last amended by Chapter 30, Laws of Utah 1992

54-8c-5, as enacted by Chapter 250, Laws of Utah 1988

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **54-8c-1** is amended to read:

54-8c-1. Definitions.

As used in this chapter:

(1) "Authorized person" means an employee or agent:

(a) of a public utility that:

(i) generates, transmits, or delivers electricity; or

(ii) provides and whose work relates to communication services;

(b) of an industrial plant whose work relates to the electrical system of the industrial plant;

(c) (i) (A) of a cable television or communication services company[;]; or

(B) of a contractor of cable television or communication services company[;]; and

(ii) if the employee or agent is specifically and expressly authorized by the owner of the poles to make cable television or communication services attachments; [or]

(d) of a state, county, or municipal agency [~~which~~] that has or whose work relates to:

(i) overhead electrical lines;

(ii) overhead lighting systems;



- 28 (iii) authorized overhead circuit construction;
- 29 (iv) conductors on poles; or
- 30 (v) structures of any type~~[-]; or~~
- 31 (e) (i) of a company that has as its primary business activity the erection and maintenance
- 32 of outdoor advertising displays or billboards; or
- 33 (ii) of a contractor of a company that has as its primary business activity the erection and
- 34 maintenance of outdoor advertising displays or billboards.
- 35 (2) "Business day" means any day other than Saturday, Sunday, or a legal holiday.
- 36 (3) "High voltage" means voltage in excess of six hundred volts measured between:
- 37 (a) conductors; or
- 38 (b) a conductor and the ground.
- 39 (4) "Overhead line" means all bare or insulated electrical conductors installed above the
- 40 ground.
- 41 (5) "Public utility" means any entity that generates, transmits, or distributes electrical
- 42 energy, including any:
- 43 (a) public utility as defined in Title 54, Chapter 2, Definitions;
- 44 (b) municipality as defined in Title 10, Utah Municipal Code;
- 45 (c) agricultural cooperative association as defined in Title 3, Agricultural Cooperative
- 46 Association;
- 47 (d) county improvement district as defined in Title 17A, Chapter 2, Part 3, County
- 48 Improvement Districts for Water, Sewerage, Flood Control, Electric and Gas; or
- 49 (e) entity created pursuant to Title 11, Chapter 13, Interlocal Cooperation Act.
- 50 (6) "Responsible party" means any person who contracts to perform, is responsible for the
- 51 performance of, or has control over, any function or activity at any location.
- 52 Section 2. Section **54-8c-5** is amended to read:
- 53 **54-8c-5. Exemptions.**
- 54 This chapter does not apply to construction, reconstruction, operation, or maintenance by
- 55 an authorized person of:
- 56 [~~(a)~~] (1) overhead electrical, cable television, or communications circuits or conductors
- 57 and their supporting structures;
- 58 [~~(b)~~] (2) electrical generating, transmission, or distribution systems; [~~or~~]

59 [(↔)] (3) communications, cable television, or overhead lighting systems[-]; or
60 (4) an outdoor advertising display or billboard.

Legislative Review Note
as of 2-2-01 11:00 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel