

(3) WITH ANY NECESSARY COOPERATION FROM AND SUBJECT TO ANY NECESSARY AGREEMENT WITH THE OWNER OR OPERATOR OF THE HIGH VOLTAGE LINE, ENSURE THAT THE HIGH VOLTAGE LINE HAS BEEN EFFECTIVELY GUARDED AGAINST ACCIDENTAL CONTACT BY:

(I) INSTALLING PHYSICAL BARRIERS TO PREVENT PHYSICAL CONTACT WITH THE HIGH VOLTAGE LINE;

(II) RELOCATING THE HIGH VOLTAGE LINE; OR

(III) DE-ENERGIZING AND GROUNDING THE HIGH VOLTAGE LINE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 89, §§ 61(a) and 60, as that section related to safety measures required to be taken before a person may perform certain activities within 10 feet of a high voltage line.

In the introductory language of item (3) of this section, the reference to "any necessary cooperation from ... the owner or operator of the high voltage line" is added in light of § 6-108(a) of this title.

Also in the introductory language of item (3) of this section, the former word "dangerous" is deleted to avoid the suggestion that accidental contact with a high voltage line could be other than dangerous.

In item (3)(ii) of this section, the former reference to relocating a high voltage line "either laterally or vertically" is deleted as unnecessary since the former reference encompassed all of the possibilities and, thus, did not add anything to the requirement for relocation.

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that the requirement in item (1) of this section that notice be given "promptly" but it is unclear when measurement of the period would begin. The General Assembly may wish to clarify the time frame for giving notice.

Defined terms: "High voltage line" § 6-101

"Person" § 1-101

6-108. DUTY OF OWNER OR OPERATOR OF HIGH VOLTAGE LINE.

(A) IN GENERAL.

THE OWNER OR OPERATOR OF A HIGH VOLTAGE LINE SHALL PERFORM ANY ACT THAT IS REASONABLY NECESSARY TO CARRY OUT THE SAFETY MEASURES REQUIRED BY § 6-107 OF THIS TITLE TO GUARD EFFECTIVELY AGAINST ACCIDENTAL CONTACT WITH THE HIGH VOLTAGE LINE: