

By: Chisum

H.B. No. 1314

A BILL TO BE ENTITLED

1 AN ACT

2 relating to operation of certain machinery or equipment near
3 high-voltage lines.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Sections 752.006(a) and (b), Health and Safety
6 Code, are amended to read as follows:

7 (a) A person, firm, corporation, or association,
8 individually, through an agent or employee, or as an agent or
9 employee, may not operate a crane, derrick, power shovel, drilling
10 rig, hayloader, haystacker, mechanical cotton picker, pile driver,
11 hoisting equipment, or similar apparatus any part of which is
12 capable of vertical, lateral, or swinging motion unless[+]

13 [~~(1)~~] a warning sign is posted and maintained as
14 prescribed by Subsections (b) and (c)[+]

15 [~~(2)~~ an insulated cage-type guard or protective device
16 is installed about the boom or arm of the equipment, except a
17 backhoe or dipper, and

18 [~~(3)~~ each lifting line, if the equipment includes a
19 lifting hook device, is equipped with an insulator link on the lift
20 hook connection].

21 (b) The warning sign required by Subsection (a) [~~(a)(1)~~]
22 must be a weather-resistant sign of not less than five inches by
23 seven inches with either a yellow background and black lettering,
24 or with background coloring and lettering that conforms to the

1 recommendations or requirements of regulations adopted by the
2 Occupational Safety and Health Administration for warning signs,
3 that reads:

4 "WARNING--UNLAWFUL TO OPERATE THIS EQUIPMENT WITHIN TEN FEET OF
5 HIGH VOLTAGE LINES."

6 SECTION 2. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2005.