

1-1 By: Jackson S.B. No. 587  
1-2 (In the Senate - Filed February 17, 2005; March 1, 2005, read  
1-3 first time and referred to Subcommittee on Agriculture and Coastal  
1-4 Resources; March 8, 2005, reported favorably to Committee on  
1-5 Natural Resources; March 21, 2005, reported favorably from  
1-6 Committee on Natural Resources by the following vote: Yeas 7,  
1-7 Nays 0; March 21, 2005, sent to printer.)

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to operation of certain machinery or equipment near  
1-11 high-voltage lines.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsections (a) and (b), Section 752.006, Health  
1-14 and Safety Code, are amended to read as follows:

1-15 (a) A person, firm, corporation, or association,  
1-16 individually, through an agent or employee, or as an agent or  
1-17 employee, may not operate a crane, derrick, power shovel, drilling  
1-18 rig, hayloader, haystacker, mechanical cotton picker, pile driver,  
1-19 hoisting equipment, or similar apparatus any part of which is  
1-20 capable of vertical, lateral, or swinging motion unless[+]

1-21 [~~(1)~~] a warning sign is posted and maintained as  
1-22 prescribed by Subsections (b) and (c)[+]

1-23 [~~(2) an insulated cage-type guard or protective device~~  
1-24 ~~is installed about the boom or arm of the equipment, except a~~  
1-25 ~~backhoe or dipper; and~~

1-26 [~~(3) each lifting line, if the equipment includes a~~  
1-27 ~~lifting hook device, is equipped with an insulator link on the lift~~  
1-28 ~~hook connection].~~

1-29 (b) The warning sign required by Subsection (a) [~~(a)(1)~~]  
1-30 must be a weather-resistant sign of not less than five inches by  
1-31 seven inches with either a yellow background and black lettering,  
1-32 or with background coloring and lettering that conforms to the  
1-33 recommendations or requirements of regulations adopted by the  
1-34 Occupational Safety and Health Administration for warning signs,  
1-35 that reads:

1-36 "WARNING--UNLAWFUL TO OPERATE THIS EQUIPMENT WITHIN TEN FEET OF  
1-37 HIGH VOLTAGE LINES."

1-38 SECTION 2. This Act takes effect immediately if it receives  
1-39 a vote of two-thirds of all the members elected to each house, as  
1-40 provided by Section 39, Article III, Texas Constitution. If this  
1-41 Act does not receive the vote necessary for immediate effect, this  
1-42 Act takes effect September 1, 2005.

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