

POWER LINE SAFETY

Laws and Codes to Keep You Safe When Working Near Power Lines



(4) The electric utility shall commence arrangements as provided herein within five (5) working days of the mutual agreement, notice to proceed under protest, or the decision of the arbitrators. Once initiated, the clearance work will continue without unreasonable interruption to completion. Should the electric utility fail to provide for temporary clearances or safety measures in a timely manner as required by this chapter, the electric utility shall be liable for costs or loss of production of the person requesting assistance to work in close proximity to high voltage overhead lines. In locations where identity of the electric utility operating the high voltage overhead lines is not easily known, the Mississippi Public Service Commission shall, upon request, provide the name, address and telephone number of such utility for notification purposes.

§ 45-15-11. Safety requirements and procedures required to operate crane, derrick, hoisting equipment, or similar apparatus which can be brought within ten feet of lines.

No person shall operate any crane, derrick, power shovel, drilling rig, pile driver, hoisting equipment, or similar apparatus, or any part thereof, which could be brought within ten (10) feet of any high voltage overhead line, unless:

(a) There is posted and maintained a warning sign, as herein defined, clearly legible and placed as follows:

(i) Within the equipment readily visible to the operator of such equipment when at the controls of such equipment; and

(ii) On the outside of the equipment in such number and location as to be readily visible to mechanics or other persons engaged in the work operations;

(b) There is installed an insulated cage-type guard or protective device about the boom or arm of all equipment, except backhoes or dippers and, where the equipment includes a lifting hook device, all lifting lines are equipped with insulator links on the lift hook connection; and

(c) A person is designated to observe clearance of the equipment from any nearby high voltage overhead lines and to give timely warning for all operations where it is difficult by visual means for the operator to determine and to maintain the required clearance.

§ 45-15-13. Violation of chapter; application of chapter.

(1) Any person who knowingly violates this chapter may be subject to a civil penalty in an amount not to exceed Five Thousand Dollars (\$5,000.00) to be imposed by a court of competent jurisdiction against said person and such penalty shall be deposited in the General Fund.

(2) There is hereby created a right of action on behalf of any electric utility which is required to pay any sum for injury or death of any person resulting from contact with a high voltage overhead line against any person whose negligence is a proximate contributing cause of such injury or death for that portion of any non-agreed judgment for damages rendered against and paid by the electric utility and attributable to the negligence of such person, however, the electric utility may not recover any portion of such sum which is attributable to its own negligence. The right of action created hereby shall not be available against persons who comply with the provisions of this chapter, and violations of this chapter shall not be considered negligence per se but may be considered as evidence of negligence.

(3) Nothing contained in this chapter shall be construed to alter, amend, restrict or limit the liability of persons as defined herein for violation of his duty under current law to use a high degree of care in the construction, maintenance and supply of electricity; nor shall any person be relieved from liability as a result of violations of standards under existing law regarding the construction, maintenance and supply of electricity, where such failure to use a high degree of care or violations of existing standards are found to be a cause of damage to property, personal injury or death.

(4) Other than an electric utility filing a claim under this chapter, nothing contained herein shall be construed to alter, amend or expand in any way the provisions of Section 71-3-9, Mississippi Code of 1972, as to an employee, his legal representative, husband or wife, parents, dependents, next of kin or anyone otherwise entitled to recover damages at common law or otherwise from such employer on account of such injury or death.

(5) Nothing contained herein shall be considered as a waiver of immunity in whole or in part as to any governmental entity or construed to alter, amend, restrict or limit in any way the protections provided in Sections 11-46-1 et seq., Mississippi Code of 1972.

(6) The provisions contained in this chapter do not apply to construction, reconstruction, operation or maintenance by an authorized person of overhead electrical or communication circuits or conductors and their supporting structures or electrical generating, transmission or distribution systems or communication systems.

National Electrical Code – Minimum Required Clearance

Open land subject to vehicle, cultivation, grazing.....	18.5 ft
Roadways, driveways, parking lots, and alleys.....	18.5 ft
Walkways.....	13.5 ft
Rails.....	26.5 ft
Spaces and ways for pedestrians, restricted traffic...14.5 ft	
Water areas not suitable for boating.....	17.0 ft



Office of Risk Management

Safety and Loss Control

Jackson, MS

MISSISSIPPI POWER LINE SAFETY ACT

§ 45-15-1. Definitions.

The following words and phrases, when used in this chapter, shall, for the purposes of this chapter, have the meanings respectively ascribed to them in this section, except in those instances, if any, where the context clearly indicates a different meaning:

(a) "High voltage" means a voltage in excess of six hundred (600) volts between conductors or from any conductor to ground.

(b) "Overhead lines" mean all bare or insulated electrical conductors installed above the ground.

(c) "Person" means a natural person, firm, co partnership, association, corporation or governmental entity.

(d) "Authorized person" means:

(i) An employee or agent of an electric utility which generates, transmits or delivers electricity.

(ii) An employee or agent of a utility which provides and whose work relates to communication services or state, county or municipal agencies which have authorized circuit construction on or near

(iii) An employee or agent of an industrial plant whose work relates to the electrical system of the industrial plant.

(iv) An employee or agent of a cable television or communication services company or an employee of a contractor of a cable television or communication services company if specifically authorized by the owner of the poles to make cable television or communication services attachments.

(v) An employee or agent of a rail transportation company whose work relates to the electrical systems of the rail transportation company.

(vi) An employee or agent of a state, county or municipal electric utility or agency which has or whose work relates to overhead electrical lines, circuit construction or conductors on poles or structures of any type.

(e) "Electric utility" means any person engaged in the generation, transmission or distribution of electricity.

(f) "Warning sign" means a weather-resistant sign of not less than seven (7) inches by ten (10) inches reading as follows: "DANGER - UNLAWFUL TO OPERATE THIS EQUIPMENT NEARER THAN 10 FEET TO HIGH VOLTAGE OVERHEAD LINES."

§ 45-15-3. Activities performed in close proximity to high voltage overhead lines; precautions.

Unless the procedures have been followed as provided by Sections 45-15-9 and 45-15-11, Mississippi Code of 1972, to deter contact with high voltage overhead lines:

(a) No person shall, individually or through an agent or employee, perform or require any other person to perform any function or activity upon any land, building, highway or other premises if at any time during the performance of that function or activity the person performing the function or activity could be reasonably expected to move or be placed within ten (10) feet of any high voltage overhead line or if any equipment or part of any tool or material used by the person could be reasonably expected to move or be placed within ten (10) feet of any high voltage overhead line during the performance of any function or activity.

(b) No person shall, individually or through an agent or employee, operate or bring any mechanical equipment or hoisting equipment or any other equipment or part of any tool or material within ten (10) feet of any high voltage overhead line.

(c) The provisions of this section shall not apply to persons lawfully occupying the land where the line is located and engaged in the regular and ordinary functions and activities of farming, ranching or other agricultural pursuits.

§ 45-15-5. Activities performed in close proximity to high voltage overhead lines; employees.

No person shall permit any employee to do any of the things prohibited in Section 45-15-3.

§ 45-15-7. Certain methods not to be employed in obtaining the required eight-foot clearance.

The ten-foot clearance required in Section 45-15-3 shall not be provided by movement of the high voltage overhead line through strain impressed, by attachments, or otherwise.

§ 45-15-9. Performance of work in closer proximity to high voltage lines than permitted; notice to utility; arrangements for deterring contact with lines; binding arbitration.

(1) If any person desires to carry on any function, activity, work or operation in closer proximity to any high voltage overhead line than permitted by this chapter, the person responsible for performing the work shall promptly notify the electric utility operating the high voltage overhead line, in writing, on a form to be provided by such electric utility, and shall not perform the

work until mutually satisfactory arrangements have been made between such electric utility and the person or business entity responsible for performing the work, to deter contact with the high voltage overhead lines as provided in subsection (2) below, however, this requirement shall not apply to persons lawfully occupying the land where the line is located and engaged in the regular and ordinary functions and activities of farming, ranching or other agricultural pursuits.

(2) The person responsible for performing the work in the vicinity of the high voltage overhead lines shall at no cost, receive a written cost estimate from the utility for providing the necessary safety arrangements. If such person disagrees with the reasonableness of any written cost proposal or believes that the cost proposal calls for more work than is reasonably necessary to protect those working in close proximity to the high voltage overhead lines, the following options are available to such person:

(a) The electric utility shall be directed to commence work under protest; such person shall pay the electric utility for the work in accordance with the cost proposal, but shall be entitled to seek recovery of all or any part of the money paid to the electric utility in binding arbitration as is hereinafter provided; or

(b) Prior to directing the work to be performed, the person responsible for performing the work in the vicinity of high voltage overhead power lines may submit to binding arbitration, as hereinafter provided, to resolve the issues of the reasonableness and necessity of the cost, and the description of the work to be performed by the electric utility under its written cost proposal.

(3) In the event of a disagreement between the electric utility and the person responsible for performing work in the vicinity of the high voltage overhead line regarding the reasonableness or necessity of the price or the work to be performed to deter contact with high voltage overhead lines, the disputes shall be submitted to binding arbitration in accordance with the procedures set forth in Sections 11-15-101 through 11-15-143, Mississippi Code of 1972. The Public Service Commission shall serve as arbitrator for the purposes of this chapter. The demand for arbitration shall be specifically enforceable in any court of law or equity. The decision of the arbitrators as to the reasonableness or necessity of the cost or the work to be performed shall be final and binding upon the parties.