STATE OF NEW YORK

4774

2017-2018 Regular Sessions

IN SENATE

February 28, 2017

Introduced by Sen. ROBACH -- read twice and ordered printed, and when printed to be committed to the Committee on Labor

AN ACT to amend the labor law, in relation to enacting the "natural gas roadway excavation safety act"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Short title. This act shall be known and may be cited as the "natural gas roadway excavation safety act".

§ 2. The labor law is amended by adding a new section 28 to read as follows:

§ 28. Workers on excavations. Utility companies or their contractors to whom a permit may be issued by the state, a county or a municipality to use to open a street for the purpose of moving, reconfiguring, modifying, restoring, repairing, installing or replacing bare steel, cast iron, high density polyethylene or other types of polyethylene pipe used for natural gas distribution and transmission systems, shall be required before such permit shall be issued, to enter into an agreement that only competent workers skilled in the work required of them and who, prior to performing such work, have been certified as successfully completing a course in construction safety and health approved by the United States department of labor's occupational safety and health administration that is at least thirty hours in duration, shall be employed on the project for which such permit to use or open a street was issued, and that the prevailing wage for similar titles as established by the fiscal officer pursuant to section two hundred twenty of this chapter, be paid to those so employed. No permit shall be issued until such agreement shall have been entered into with the appropriate state, county or municipal agency, and all permits issued after the effective date of this section shall include therein a copy of this section. When permits are issued to utility companies or their contractors, the power to enforce the terms

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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of this section shall be vested with the department consistent with the provisions of section two hundred twenty of this chapter.

§ 3. This act shall take effect on the thirtieth day after it shall have become a law.