STATE OF NEW YORK

5163

2019-2020 Regular Sessions

IN SENATE

April 11, 2019

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to notification by an excavator of damage to an underground facility

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

Section 1. Subdivision 5 of section 764 of the general business law, as amended by chapter 333 of the laws of 2018, is amended to read as follows:

5. In the event of contact with and/or damage to an underground facility, the excavator shall immediately notify the operator of the facility and no backfilling shall be done by the excavator until inspection and/or repairs have been made by the operator and no repairs shall be undertaken by the excavator until authorized by the operator. In the event of an electrical short or the escape of gas or hazardous fluids endangering life, the excavator shall immediately notify the operator of the electric, gas or hazardous liquid underground facility and [~~the fire department~~] 911, and all persons who might be endangered and assist in the evacuation of such persons.

§ 2. This act shall take effect on the same date and in the same manner as section 6 of chapter 333 of the laws of 2018, takes effect.

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

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