

STATE OF NEW YORK

8916

IN ASSEMBLY

January 19, 2022

Introduced by M. of A. FAHY -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public service law, in relation to requiring corporations and municipalities to notify property owners prior to beginning certain services

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

1 Section 1. The public service law is amended by adding a new section
2 119-d to read as follows:

3 § 119-d. Notification to property owners. 1. Prior to beginning any
4 scheduled service that may interfere with a property owner's ability to
5 enjoy, use, or access such property owner's property, a gas corporation,
6 an electric corporation, a gas and electric corporation, a water corpo-
7 ration, a steam corporation, a telegraph corporation, a telephone corpo-
8 ration or a municipality rendering equivalent utility services shall
9 provide notice to such property owner that such service is to be
10 performed. Such notice shall include, but not be limited to, the service
11 to be performed, the expected duration of such service, the location of
12 such service, any road closures or detours that shall occur due to such
13 service, any necessary equipment, including service vehicles, that may
14 intrude upon the property owner's property or interfere with such prop-
15 erty owner's ability to enjoy, use, or access such property owner's
16 property, and the contact information for the corporation or municipi-
17 pality performing such service. Notice shall be given as far in advance
18 as circumstances may allow, but shall be given no more than thirty days
19 in advance of the start date of such service and no less than five days
20 in advance of the start of such service.

21 2. A gas corporation, an electric corporation, a gas and electric
22 corporation, a water corporation, a steam corporation, a telegraph
23 corporation, a telephone corporation or a municipality rendering equiv-
24 alent utility services subject to the provisions of this section shall
25 provide notice to property owners, in writing or, when appropriate, via
26 electronic transmission and shall further make reasonable efforts to
27 contact property owners prior to beginning any scheduled service that

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

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1 may interfere with a property owner's ability to enjoy, use, or access
2 such property owner's property.

3 3. The provisions of this section shall not apply in the case of a
4 natural or man-made disaster or state of emergency pursuant to article
5 two-B of the executive law.

6 § 2. This act shall take effect on the ninetieth day after it shall
7 have become a law. Effective immediately, the addition, amendment
8 and/or repeal of any rule or regulation necessary for the implementation
9 of this act on its effective date are authorized to be made and
10 completed on or before such effective date.