

SENATE BILL 1560
By Crowe

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 105, relative to blasting and explosives.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 105, Part 1, is amended by adding the following new section:

68-105-122

(a) Public notice shall be given of any blasting activity at least seventy-two (72) hours in advance of such blasting. The notice shall include the date, approximate time, and location of the blasting.

(b) The department shall develop uniform guidelines for persons to use in documenting damage resulting from blasting. These guidelines shall be non-binding. Failure to utilize the guidelines shall not be raised as a defense or otherwise used in any proceeding in which a person seeks compensation for damages for blasting.

(c) The department shall develop a program in which entities regulated under this act can enter into prompt and fair settlements with persons who have suffered damages as a result of blasting activities.

SECTION 2. The department shall promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. This act shall take effect July 1, 2001, the public welfare requiring it.