

HOUSE BILL 3561

By Bass

AN ACT to amend Tennessee Code Annotated, Title 65,
Chapter 31, relative to contractors mowing rights-
of-way.

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

SECTION 1. Tennessee Code Annotated, Title 65, Chapter 31, Part 1, is amended by adding the following language as a new, appropriately designated section:

65-31-114.

(a) Prior to mowing a right-of-way, a contractor shall notify operators in the same manner as required of persons responsible for excavation or demolition operations pursuant to § 65-31-106.

(b) Upon receiving notification from a contractor as required by subsection (a), an operator shall stake or otherwise mark in the same manner as required when a person responsible for excavation or demolition operations notifies the operator pursuant to § 65-31-108.

(c) A contractor engaged in mowing a right-of-way shall not be liable to an operator for any damage to a utility that results from such mowing if:

(1) The contractor notifies the operator as required by subsection (a);

and

(2) The operator fails to stake or otherwise mark as required under subsection (b).

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.