
SENATE BILL 6473

State of Washington **52nd Legislature** **1992 Regular Session**

By Senators Thorsness, Nelson, Saling and Sutherland

Read first time 02/03/92. Referred to Committee on Energy & Utilities.

1 AN ACT Relating to vegetation hazards near overhead transmission
2 lines; adding a new section to chapter 80.28 RCW; adding a new section
3 to chapter 54.16 RCW; adding a new section to chapter 35.21 RCW; adding
4 a new section to chapter 4.24 RCW; and creating a new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that maintaining
7 the reliability of the state's electricity system is essential for the
8 public's health and safety, especially during severe winter storms.
9 The legislature further finds that untrimmed trees growing too close to
10 power lines have recently contributed to significant and potentially
11 fatal power outages in the state and that programs are needed to avoid
12 a repeat of these conditions.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 80.28 RCW
2 to read as follows:

3 By September 1, 1992, the commission shall adopt rules that specify
4 procedures relating to the removal of trees or other vegetation that
5 constitute a hazard to overhead electric lines owned by an electric
6 company. At a minimum, the rules shall require:

7 (1) Each electric company to conduct an annual visual inspection of
8 all electric lines owned by the company;

9 (2) Guidelines for determining what constitutes a tree hazard or
10 other vegetation hazard to electric lines;

11 (3) Electric companies to notify property owners if any trees or
12 other vegetation are determined to be a hazard to electric lines;

13 (4) A ninety-day period for property owners to remove the hazard to
14 the electric line;

15 (5) That, if the tree hazard or vegetation hazard has not been
16 removed after the ninety-day period, the electric company must notify
17 property owners that the electric company will remove the hazard and
18 may include the cost of the removal on the electric bill of the
19 property owner; and

20 (6) Electric companies to annually report to the commission on the
21 status of removing tree hazards or vegetation hazards, any lawsuits
22 that have been filed against the company related to removal of tree
23 hazards or vegetation hazards, and a description of any outages caused
24 by tree hazards or vegetation hazards.

25 NEW SECTION. **Sec. 3.** A new section is added to chapter 54.16 RCW
26 to read as follows:

27 By September 1, 1993, any district distributing electric energy
28 shall by resolution specify procedures relating to the removal of trees

1 or other vegetation that constitute a hazard to overhead electric lines
2 owned by the district. At a minimum, the resolution shall require:

3 (1) The district to conduct an annual visual inspection of all
4 electric lines owned by the district;

5 (2) Guidelines for determining what constitutes a tree hazard or
6 other vegetation hazard to electric lines;

7 (3) The district to notify property owners if any trees or other
8 vegetation are determined to be a hazard to electric lines;

9 (4) A ninety-day period for property owners to remove the hazard to
10 the electric line;

11 (5) That, if the tree hazard or vegetation hazard has not been
12 removed after the ninety-day period, the district must notify property
13 owners that the district will remove the hazard and may include the
14 cost of the removal on the electric bill of the property owner; and

15 (6) The district to annually report to the energy and utilities
16 committees of the legislature on the status of removing tree hazards or
17 vegetation hazards, any lawsuits that have been filed against the
18 district related to removal of tree hazards or vegetation hazards, and
19 a description of any outages caused by tree hazards or vegetation
20 hazards.

21 NEW SECTION. **Sec. 4.** A new section is added to chapter 35.21 RCW
22 to read as follows:

23 By September 1, 1993, any city or town distributing electric energy
24 shall by general ordinance specify procedures relating to the removal
25 of trees or other vegetation that constitute a hazard to overhead
26 electric lines owned by the city or town. At a minimum, the resolution
27 shall require:

28 (1) The city or town to conduct an annual visual inspection of all
29 electric lines owned by the city or town;

1 (2) Guidelines for determining what constitutes a tree hazard or
2 other vegetation hazard to electric lines;

3 (3) The city or town to notify property owners if any trees or
4 other vegetation are determined to be a hazard to electric lines;

5 (4) A ninety-day period for property owners to remove the hazard to
6 the electric line;

7 (5) That, if the tree hazard or vegetation hazard has not been
8 removed after the ninety-day period, the city or town must notify
9 property owners that the city or town will remove the hazard and may
10 include the cost of the removal on the electric bill of the property
11 owner; and

12 (6) The city or town to annually report to the energy and utilities
13 committees of the legislature on the status of removing tree hazards or
14 vegetation hazards, any lawsuits that have been filed against the city
15 or town related to removal of tree hazards or vegetation hazards, and
16 a description of any outages caused by tree hazards or vegetation
17 hazards.

18 NEW SECTION. **Sec. 5.** A new section is added to chapter 4.24 RCW
19 to read as follows:

20 It is a defense in a civil action brought for damages for injury,
21 damage to trees or vegetation, or unintentional damage to other real
22 property when an entity providing electric service removes trees or
23 vegetation and complies with the applicable rules, resolutions, or
24 general ordinances developed under the following:

25 (1) For electric companies, under section 2 of this act;

26 (2) For public utility districts, under section 3 of this act; and

27 (3) For municipalities, under section 4 of this act.

1 NEW SECTION. **Sec. 6.** If any provision of this act or its
2 application to any person or circumstance is held invalid, the
3 remainder of the act or the application of the provision to other
4 persons or circumstances is not affected.