



SPONSOR: Sen. Blevins & Rep. Hudson, Sens. Connor, Henry, Marshall, Peterson, Sokola, Sorenson, Venables; Reps. Johnson, Keeley, McWilliams, Mulrooney, Wagner

DELAWARE STATE SENATE
144th GENERAL ASSEMBLY

SENATE SUBSTITUTE NO. 1
FOR
SENATE BILL NO. 92

AN ACT TO AMEND TITLE 26, CHAPTER 9 OF THE DELAWARE CODE RELATING TO THE CUTTING AND TRIMMING OF TREES BY PUBLIC UTILITIES.

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

1 Amend Title 26, Chapter 9, §906 of the Delaware Code by inserting a new subsection (e) to read as follows:

2 “(e) Whenever any electric utility corporation or its vendor, cuts and/or trims trees and other shrubbery as is
3 reasonably necessary to operate its lines, said electric utility corporation shall:

4 (1) At the time of work, in some manner notify property owners adjacent to the affected area as to the reason
5 for the cutting and/or trimming,

6 (2) Take responsibility for removing all debris resulting from the cutting and/or trimming from the affected
7 area, and

8 (3) Compensate affected property owners for any damage caused by fallen debris during the act of cutting
9 and/or trimming.”

10 Provided, however, that if the work to be performed by the electric utility is necessary to repair a power
11 outage or is due to an emergency, the electric utility is not required to notify property owners as set out in paragraph (1) of
12 this subsection. Provided further that this subsection shall not apply to electric co-operatives or vendors of electric co-
13 operatives.”

SYNOPSIS

Although the cutting and trimming of trees and shrubs around lines is sometimes necessary to maintain service to the customer, most property owners are not equipped to remove the resulting debris, as is currently required. Also, no provision exists for compensating property owners should, for example, landscaping or other property be damaged during the trimming process. This legislation would require an electric utility, other than electric co-operatives, to communicate with adjacent property owners when it must cut or trim trees around operable lines except in cases of power outage repairs or emergencies. The bill also requires these utilities to remove all cut debris and be responsible for any damage caused to property during the process of cutting and/or trimming debris.

Author: Senator Blevins