



February 9, 2005

HOUSE BILL No. 1363

DIGEST OF HB 1363 (Updated February 2, 2005 5:48 pm - DI 96)

Citations Affected: IC 8-1.

Synopsis: Working hours for utility service employees. Exempts an employee of a utility service employer or an employee of a subcontractor or contractor of a utility service employer from the maximum hours of service that the employee is permitted to work under federal regulations if the employee: (1) holds a commercial driver's license; and (2) is engaged in intrastate maintenance or repair work during a utility service interruption emergency.

Effective: Upon passage.

Stevenson, Lutz J

January 13, 2005, read first time and referred to Committee on Employment and Labor.
February 8, 2005, reported — Do Pass.

C
o
p
y

HB 1363—LS 7407/DI 96+



February 9, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

C
O
P
Y

HOUSE BILL No. 1363



A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 8-1-8.3-3 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. As used in this
3 chapter, "~~public~~ "utility **service**" has the meaning set forth in
4 ~~IC 8-1-2-1(a)~~. **IC 6-2.3-1-14.**

5 SECTION 2. IC 8-1-8.3-4 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. As used in this
7 chapter, "utility service interruption emergency" means an outage or
8 interruption of utility service in Indiana, including a near term threat or
9 occurrence of a meteorological or other condition reasonably likely to
10 result in outages or service interruption. A utility service interruption
11 emergency:

- 12 (1) is declared to exist within the meaning of 49 CFR 390.23
13 when a ~~public~~ utility **service employer** receives:
14 (A) notice of or a request to respond to an outage or a service
15 interruption; or
16 (B) notice of the existence of conditions reasonably likely to
17 result in an outage or a service interruption; and

HB 1363—LS 7407/DI 96+



1 (2) continues until:
 2 (A) the necessary maintenance or repair work is completed;
 3 and
 4 (B) personnel used to perform necessary maintenance or repair
 5 work have returned to their respective normal work routines.
 6 SECTION 3. IC 8-1-8.3-6 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. An individual
 8 who:
 9 (1) is the holder of a commercial driver's license;
 10 (2) is:
 11 (A) an employee;
 12 (B) an employee of a contractor; or
 13 (C) an employee of a subcontractor;
 14 of a ~~public~~ utility **service employer** in an employment capacity
 15 in which the commercial driver's license is used; and
 16 (3) operates a commercial motor vehicle as a utility service
 17 vehicle and engages in intrastate maintenance or repair work in
 18 response to a utility service interruption emergency;
 19 is exempt from any regulation of the maximum hours of service that the
 20 employee may work under 49 CFR 395 **et seq.**
 21 SECTION 4. **An emergency is declared for this act.**

C
O
P
Y



COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment and Labor, to which was referred House Bill 1363, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

TORR, Chair

Committee Vote: yeas 11, nays 0.

**C
o
p
y**

