

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTION OF RULE.

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE Commissioner of the Department of Transportation by subdivision (b) of Section 2903 of the New York City Charter, and Title 19 of the New York City Administrative Code, and in accordance with the requirements of Section 1043 of the New York City Charter, that the Department of Transportation hereby adopts the amendments to sections 2-01 and 2-03 and the addition of a new section 2-20 to Chapter 2 of Title 34 of the Official Compilation of the Rules of the City of New York, the Highway Rules, relating to shunts, fees and street light and power. Matter underlined is new; matter in [brackets] is deleted. This rule was first published on January 12, 2009 and a public hearing thereon was held on February 18, 2009. This rule shall take effect 30 days from the date hereof.

Section one. Section 2-01 of Title 34 of the Rules of the City of New York is amended as follows to add the following definitions:

City Electrical Equipment. The term “city electrical equipment” means city property to which electrical connections can be made, including but not limited to, electrical devices, wood poles and metal street light/lampposts.

City Property. The term “city property” means, for the purpose of this section, real property and physical structures owned by the City of New York and subject to Department of Transportation jurisdiction, including but not limited to, roadways, sidewalks, street furniture and electrical equipment.

Non-city Electrical Equipment. The term “non-city electrical equipment” means property, not owned by the City, which is attached to City Property and to which electrical connections can be made, including but not limited to, electrical devices and wood poles.

Overhead shunt. The term “overhead shunt” means a shunt that runs from the top of a street light or traffic control device pole to another pole and/or to a property.

Person. The term “person” means a natural person, partnership, corporation, limited liability company, association or any other entity.

Public Utilities. The term “public utilities” means public utility companies as defined in the Public Service Law.

Shunt. The term “shunt” means a temporary electrical cable or conduit that has been installed between two points to divert current from one path, which is no longer in use, to another path.

Street shunt. The term “street shunt” means a shunt that runs from a street light/lamppost or utility access cover along a roadway and/or sidewalk to a property or other street light/lamppost.

Wrap-around shunt. The term “wrap-around shunt” means a shunt used on a street light/lamppost or traffic signal pole that is attached to the top of the pole, is looped or wrapped around the outside of the pole and enters the base of the pole for electrical connection.

§2. Section 2-03 of Title 34 of the Rules of the City of New York is amended by adding the following entry under “Miscellaneous Charges and Fees”:

| Permit Or Activity | Fee | Other Charges | Maximum Duration per Permit | Maximum Distance per Permit | Maximum Width per Permit |
|----------------------------------|----------------|----------------------|------------------------------------|---|---------------------------------|
| <u>Install overhead shunt</u> | <u>\$0.00</u> | | <u>90 days</u> | <u>Building to nearest pole or pole to nearest other pole</u> | <u>Not applicable</u> |
| <u>Install street shunt</u> | <u>\$50.00</u> | | <u>90 days</u> | <u>300 lin. ft.</u> | <u>Not applicable</u> |
| <u>Install wrap-around shunt</u> | <u>\$0.00</u> | | <u>90 days</u> | <u>Per shaft</u> | <u>Not applicable</u> |

§3. Chapter 2 of Title 34 of the Rules of the City of New York is amended by adding a new section 2-20 to read as follows:

Section 2-20
Street Light and Power

(a) General requirements.

Any person installing, repairing, removing, using or working within three (3) feet of any type of City electrical equipment or non-City electrical equipment attached to City Property, including communication circuits, shall comply with the following requirements:

(1) Except as otherwise provided by law or rule, no person shall attach any item to any City electrical equipment, including but not limited to, street light poles and poles containing electrical traffic control devices, such as traffic signal poles, and pedestrian and bicycle signal poles, without permission from the Department.

(2) Only public utilities, public benefit corporations, City agencies or licensed and insured contractors shall be permitted to install, repair, use or work within three (3) feet of any type of City electrical equipment or non-City electrical equipment attached to City Property, including communication circuits.

(3) Except as otherwise provided by law or rule, all electrical installations, connections, supports, devices, and equipment, including but not limited to,

communication circuits, shall be designed and installed in compliance with the general requirements of the National Electrical Code (NEC) or, in the case of Public Utilities, the National Electrical Safety Code (NESC).

(4) All public infrastructure work, including work in streets, bridges, parks and public places, shall be designed and installed in compliance with these rules: standard electrical engineering practice; the National Electric Code (NEC) or, in the case of Public Utilities, the National Electrical Safety Code (NESC); the Department's Standard Details of Construction; the Department's Standard Specifications; and the Department's Instructions for Filing Plans & Guidelines for the Design of Sidewalks, Curbs, Roadways and other Infrastructure Components; the Department's Bureau of Traffic, Division of Street Lighting Standard Drawings; and all other applicable laws and rules.

(5) All required applications and/or forms, plans and certifications, relating to work that is subject to these rules shall be submitted to the Department's Street Lighting and/or Traffic Signals Units for approval prior to the issuance by the Department of a permit. No work shall commence prior to the issuance of such permit. Approval of adjustments to the work performed shall be obtained from the Department prior to commencing any such adjustments. Changes in the work may be mandated by the Department for the purpose of conforming the work to the requirements of these rules.

(6) The Department's Electrical Inspections Unit shall be notified by persons performing all proposed non-emergency work at least seventy-two (72) hours prior to commencement. Application to the Department for a permit or other authorization at least seventy-two (72) hours prior to commencement of non-emergency work shall be deemed notice.

(7) No person shall break, deface, remove, or interfere with any lamp, gas, communication or electrical apparatus, or any part thereof, which shall be hung or fixed in any street or public place, or extinguish the light therein except as authorized by the Department. All instances of damaged gas, communication or electrical equipment shall be reported to the 311 Government Services & Information for New York City telephone number and/or the contact telephone number on any applicable permits. The New York City Police Department shall also be notified, as appropriate.

(8) Any person installing a connection to any type of City electrical equipment or non-city electrical equipment attached to City property shall make arrangements with the appropriate electric utility company to pay for the electricity that will be used to operate said equipment.

(9) An inspector from the Department may visit a work site upon receiving a complaint, or as a matter of routine inspection, to monitor compliance with these rules. In the event that the inspector deems a condition at the work site to be imminently dangerous, the party determined to be responsible for creating such condition shall immediately remove or correct the condition upon notification by the Department. For conditions not deemed imminently dangerous, the party determined to be responsible for creating such condition shall be provided with an Electrical Remove or Repair (EROR) report identifying the condition needing

correction. The EROR report would require a cure period of forty-eight (48) hours to correct the condition. If the condition is not corrected within forty-eight (48) hours, then a Notice of Violation shall be issued against the party determined to be responsible for creating such condition. Said violations may be issued on-site or by mail. Notwithstanding the preceding sentences in this paragraph there shall be no cure period afforded with respect to compliance with emergency conditions, such as, but not necessarily limited to, those listed in Sections 2-20 (a)(4), (a)(7), (b)(5), (b)(9), (e)(11), (m)(1), (n)(5), and (t)(5), where an imminent dangerous condition results due to improper installation, maintenance and/or removal.

(b) Shunts: Overhead, Street and Wrap-around Shunts.

(1) This subdivision shall apply to overhead, street and wrap-around shunts attached to City electrical equipment or running over/along a roadway or sidewalk.

(2) In order for the Department to maintain accurate identification and location records for overhead, street and wrap-around shunts, no person shall install any shunt without first obtaining a permit from the Department unless otherwise provided herein.

(3) No person shall install an overhead shunt without first obtaining a regular permit unless an emergency condition exists and an emergency permit has been obtained. In the event that the emergency condition is not repaired by the conclusion of the forty-eight (48) hour emergency permit period, a regular permit shall be obtained.

(4) Shunts shall not be permanent installations. A permanent repair shall be made by the conclusion of the ninety (90) day regular permit period.

(5) No shunt shall bypass any electrical safety device.

(6) In the event that a shunt must be used and an overhead or street shunt cannot be installed, a wrap-around shunt may be used only if approval is obtained from the Department's Streetlight Unit prior to obtaining a permit. Any request for such approval must include, at a minimum, the location of the shunt and the reason(s) why only a wrap-around shunt can be used.

(7) The roadway surrounding a street shunt shall be properly barricaded as a warning to vehicular traffic in the event that it is not feasible to install shunt boards (ramps) capable of withstanding constant, heavy vehicular traffic. All barricades must bear a sign displaying the contractor's name and telephone number and the start and end dates of all work. The sidewalk areas over which the shunt runs and all wires shall be protected and ramped with a reflective covering.

(8) Overhead shunts shall be installed into the top of a street light/lamppost or traffic signal pole by removing the pole cap, installing an approved mounting bracket, running the electric cord or cable into and through the interior of the pole

and making the electrical connection, which shall be independently fused for the intended use of the shunt, in the base of the pole from the inside. The pole cap shall then be placed in the base of the pole for reinstallation when the shunt is removed.

(9) Overhead shunts and their supports shall be maintained at the following minimum clearances. (For additional minimum clearances, see Table B of this section.)

- (i) 27 feet above railroad tracks
- (ii) 25 feet above elevated railroads
- (iii) 18 feet above roadways
- (iv) 14 feet above sidewalks and alleyways

(10) All shunt apparatus shall be removed when the shunt is no longer in use.

(11) All existing overhead and street shunts shall be removed within ninety (90) days of the effective date of this section. If not so removed, permits shall be obtained for each shunt within that ninety (90) day time period and the shunts shall be replaced with permanent connections as provided in paragraph 4 above, unless waived by the Department in writing.

(c) Electrical Traffic Control Devices.

(1) City electrical equipment containing electrical traffic control devices shall not be used as a source of power for anything other than the electrical traffic control devices, unless explicitly approved by the Department.

(2) Attachments to City electrical equipment containing electrical traffic control devices shall be approved by the Department prior to such attachment.

(3) In the event that the Department installs an overhead shunt to restore power to City electrical equipment containing an electrical traffic control device, an electrical utility shall, upon notice from the Department, which may include, but not be limited to, a tracking number from the Electrical Inspections Unit, obtain an overhead shunt permit and maintain such shunt pursuant to such permit until the utility replaces the shunt with a permanent electrical connection pursuant to these rules.

(d) Cable Guards and Standpipes/Overhead Wiring.

(1) This subdivision shall apply to cable guards and standpipes installed or intended to be installed on City electrical equipment, such as poles.

(2) No person shall install a cable guard or standpipe on any City electrical equipment that already has a cable guard or standpipe without first obtaining approval from the Department's Streetlight Unit.

(3) Metal cable guards and standpipes shall be galvanized and in good condition.

(4) Cable guards and standpipes shall be installed parallel to the curb unless otherwise directed by the Department.

(e) Conductors – Aerial/Overhead.

(1) This subdivision shall apply to conductors installed or intended to be installed on City property.

(2) No person shall install any aerial/overhead conductor without first obtaining a permit from the Department's Streetlight Unit, unless an emergency condition exists and Department authorization to install the aerial/overhead conductor has been obtained. In the event that the emergency condition is not repaired within forty-eight (48) hours of receiving Department authorization, a permit shall be obtained.

(3) On City electrical equipment, electric light and power wires shall not be placed on the same cross arm with communication or similar wires without prior authorization from the Department. Where electric light and power wires are placed on the same City-owned pole with communication or similar wires, the horizontal distance between the two inside pins of each cross arm shall not be less than thirty (30) inches, if access to points above such cross arms may be necessary, and the former shall be placed above the latter and separated therefrom by a vertical distance as provided in Table C of this section.

(4) Conductors shall be securely attached to suitable insulators on pins on cross arms, or on NEC or NESC approved brackets, with NEC or NESC approved clamps or wire of the same size and type as conductors. Other methods of attachment shall not be used unless prior approval is given by the Department for such use.

(5) For temporary work, including but not limited to building construction, conductors may be suspended from suitable insulators or other attachments, provided such attachments are approved by the Department prior to installation and the conductors are securely attached to substantial supports.

(6) Conductors operating at potentials in excess of 300 volts to ground shall be capable of being disconnected so that, in case of a fire or other emergency condition, current may be cut off from the particular circuits or section so as not to interfere with the work of fire fighters or other emergency responders. Such disconnections shall be made only by authorized employees of the company operating the conductors.

(7) Conductors shall be adequately protected against accidental contact with other conductors, trees, buildings, poles, or other possible interference.

(8) The following minimum clearances are required between wires or cables and buildings:

Table A

| <u>Voltage Classification</u> | <u>Up to 8,700V</u> | <u>8,700 V to 15,000V</u> | <u>15,000V to 33,000V</u> |
|-------------------------------|---------------------|---------------------------|---------------------------|
| <u>Horizontal Clearance</u> | <u>3 feet</u> | <u>8 feet</u> | <u>10 feet</u> |
| <u>Vertical Clearance</u> | <u>8 feet</u> | <u>8 feet</u> | <u>10 feet</u> |

(9) Conductors for light or power shall not be connected together without the approval of the Department. This provision shall not apply to transformer leads or to networked supply systems such as trolley conductors and low tension feeders or mains to which services are connected.

(10) Conductors shall be spliced or joined so as to be both mechanically and electrically secure. The splices shall be covered with insulation equal to that on the conductors.

(11) Conductors used as supply lines carrying 2300 volts or less shall be approved for outdoor open wiring by the Department prior to installation.

(12) Conductors shall, where exposed to weather, be supported on insulators approved in advance by the Department.

(13) Conductors shall enter a switch or cutout box or cabinet through approved bushings at the bottom of such box or cabinet wherever practical. Where conductors enter boxes or cabinets at the side, they shall be provided with drip-loops in addition to the approved bushings.

(14) The following minimum clearances are required, except where otherwise specifically permitted by the Department:

Table B

| <u>Nature of Crossing</u> | <u>Conductors</u> | | | |
|--|--------------------------------|-------------------------------|----------------------------------|-------------------------------------|
| | <u>Guys, Spans, Messengers</u> | | | |
| | <u>Under 300 Volts</u> | <u>300 Volts to 750 Volts</u> | <u>750 Volts to 15,000 Volts</u> | <u>15,000 Volts to 33,000 Volts</u> |
| <u>Above track rails of freight railroads.</u> | <u>27 feet</u> | <u>27 feet</u> | <u>28 feet</u> | <u>30 feet</u> |
| <u>Above track rails of elevated railways.</u> | <u>25 feet</u> | <u>25 feet</u> | <u>25 feet</u> | <u>25 feet</u> |
| <u>Above track rails of surface</u> | <u>22 feet</u> | <u>22 feet</u> | <u>25 feet</u> | <u>25 feet</u> |

| | | | | |
|---------------------------------------|--|----------------|----------------|----------------|
| <u>railways.</u> | | | | |
| <u>Above streets</u> | <u>18 feet</u> | <u>18 feet</u> | <u>20 feet</u> | <u>22 feet</u> |
| <u>Above sidewalks and alleyways.</u> | <u>14 feet*</u> <u>*For guys, 8 feet shall be sufficient for anchor guys not crossing pathways.</u> | <u>18 feet</u> | <u>20 feet</u> | <u>22 feet</u> |

(15) Minimum Wire Crossing Clearances:

The following minimum clearances or separations between conductors crossing each other and on different supporting structures are required except where otherwise specifically permitted by the Department.

Table C

Conductors of lines operating at the voltages indicated at the heads of columns shall, unless otherwise permitted by the Department, be installed above those in the left hand column of the table.

| <u>Voltage Classification</u> | <u>Communication</u> | <u>0 to 300 V</u> | <u>300V to 750 V</u> | <u>750V to 8,700 V</u> | <u>8,700V to 33,000V</u> | <u>Guys**</u> |
|--------------------------------------|----------------------|-------------------|----------------------|------------------------|--------------------------|---------------|
| <u>Communication</u> | <u>2 feet</u> | <u>4 feet*</u> | <u>4 feet</u> | <u>4 feet</u> | <u>6 feet</u> | <u>2 feet</u> |
| <u>0 to 300 V</u> | | <u>2 feet</u> | <u>2 feet</u> | <u>2 feet</u> | <u>4 feet</u> | <u>2 feet</u> |
| <u>300 to 750 V</u> | | | <u>2 feet</u> | <u>2 feet</u> | <u>4 feet</u> | <u>2 feet</u> |
| <u>750 to 7,500 V</u> | | | | <u>2 feet</u> | <u>4 feet</u> | <u>4 feet</u> |
| <u>Guys**</u> | <u>2 feet</u> | <u>2 feet</u> | <u>2 feet</u> | <u>4 feet</u> | <u>4 feet</u> | <u>2 feet</u> |
| <u>Buildings or other structures</u> | <u>8 feet</u> | <u>8 feet</u> | <u>8 feet</u> | <u>10 feet</u> | <u>10 feet</u> | |

*This may be reduced to 2 feet providing the crossing is not within 6 feet of any pole concerned in the crossing.

** Also span wires, messengers, lightning protection wires and service loops.

(f) Cross Arms.

Cross arms on City electrical equipment shall not be longer than necessary for the number of conductors that may reasonably be anticipated to support utility cables.

(g) Electrical Construction.

(1) No person shall begin construction of lines to furnish communications or electric service in the City of New York unless the Department issues a permit for such construction in accordance with this subdivision.

(2) As a part of the application by persons other than Public Utilities for permits pursuant to this subdivision, such persons shall file their construction specifications, i.e. strength, foundations, settings and electrical connections, for communications or electric service installations with the Department. No permit shall be issued to such persons by the Department until such specifications are approved by the Department. All work shall be performed in accordance with the specifications approved by the Department.

(3) As a part of the application by Public Utilities for an annual permit to maintain their systems, Public Utilities shall file their construction specifications, i.e. strength, foundations, settings and electrical connections, for communications or electric service installations demonstrating full compliance with the NESC with the Department. No annual permit shall be issued to a Public Utility by the Department until such specifications are filed with the Department. All work shall be performed in accordance with the specifications filed with the Department. Notwithstanding the receipt of an annual permit to maintain their systems, Public Utilities are required to obtain all necessary permits to perform their work, including street opening, construction activity and sidewalk construction permits.

(h) [Intentionally left blank].

(i) Overhead Distribution Structures.

(1) No person shall begin construction of new overhead electrical distribution structures in or on any public street unless the Department issues a permit for such construction in accordance with this subdivision.

(2) As a part of the application by persons other than Public Utilities for permits pursuant to this subdivision, such persons shall file their plans for new overhead electrical distribution structures with the Department. No permit shall be issued to such persons by the Department until such plans are approved by the Department. All work shall be constructed in accordance with plans approved by the Department.

(3) As a part of the application by Public Utilities for an annual permit to maintain their systems, Public Utilities shall file their plans for new overhead electrical distribution structures demonstrating full compliance with the NESC with the Department. No annual permit shall be issued to a Public Utility by the Department until such plans are filed with the Department. All work shall be constructed in accordance with the plans filed with the Department. Notwithstanding the receipt of an annual permit to maintain their systems, Public Utilities are required to obtain all necessary permits to perform their work, including street opening, construction activity and sidewalk construction permits.

(j) Equipment and Equipment Repairs.

(1) All costs for the repair or replacement of damaged or missing City electrical equipment, including street light/lamppost wiring and foundation, shall be at the expense of the person whose work and/or equipment caused the condition.

(2) Any equipment and/or device installed, relocated, removed from or attached to any type of City property or City electrical equipment, including communication circuits, street light/lamppost wiring and foundation, that creates an unsafe condition may be removed, replaced or repaired by the Department and such removal, replacement or repair shall be at the expense of such person whose work and/or equipment created the unsafe condition.

(3) In the event of damage to City electrical equipment, including but not limited to electrical conduit, street lights, ITS and traffic signal poles, pull boxes, panel boxes, junction boxes, cameras, or any other City-owned electrical systems equipment on or adjacent to all roadway and/or highway surfaces, including grade level and elevated roadways, ramps, overpasses, and paved and non-paved shoulder areas, notice shall be made to the Electrical Inspections Unit by the person that discovered such damage, at the time of discovery, and regardless of fault. An inspector shall be dispatched to evaluate and document the condition and coordinate the necessary repairs by the party determined to be responsible for creating such condition. The person who caused the damage shall conduct the necessary repairs without delay following notification to the Department of said repair and the obtaining of any necessary permits. Unless Electrical Inspections Unit inspector is present at the jobsite when the repairs are being performed, such person shall provide pictures and/or other documentation to confirm that the appropriate repair work has been completed.

(4) When the owner of any non-city electrical equipment located on or attached to City property is notified by the Department that a repair or alteration of said equipment is needed for public safety purposes, the equipment shall be made safe within the time frame prescribed by the Department but in no event more than twenty-four (24) hours of notification. Complete repair or alteration shall be made within seven (7) days following notification as directed by the Department.

(5) If the repairs of non-city electrical equipment located on a City street or attached to City property are not satisfactorily made in the time allotted and the Department considers the equipment to be a danger to public safety, the Department may in the interest of public safety remove the equipment, except where prohibited by law, and charge the cost of removal to the owner of the equipment.

(k) Conduits.

(1) Where conduits are attached to City electrical equipment, they shall be securely fastened in place and grounded in an approved manner. If straps are

used, each strap shall be secured with two (2) lag screws or other method approved by the Department.

(2) Flexible conduit, where permitted to be attached to City electrical equipment, shall enter the switch or cutout box or cabinet at the bottom wherever practical, using an NEC and/or NESC approved fitting. Where such conduit enters the box or cabinet at the side, it shall be provided with a drip-loop.

(l) Grounding.

(1) All exposed non-current carrying metal parts of electrical equipment for light, communications or power located on or attached to City property, including but not limited to, transformer cases, switch or fuse cabinets, metallic conduit, raceways and cable armor, shall be permanently and effectively grounded.

(2) Transformers with ungrounded secondaries and metal shields for conductors running down City electrical equipment, such as a City-owned pole, must be properly protected.

(3) The grounding resistance should not exceed 25 ohms.

(4) City electrical equipment shall not be used as a ground.

(m) Work site safety.

(1) The work site safety rules in subdivision (h) of §2-02 of these rules and any other safety measures directed by the Department shall apply to work performed pursuant to this section.

(2) No movable equipment shall be left unattended at the work site unless properly secured.

(n) Guys and Anchors.

(1) Where the mechanical loads to be imposed on City electrical equipment, such as City-owned poles or other City-owned supporting structures, are greater than can be safely supported by the pole or structure itself, additional strength shall be provided by the use of guys, braces or other approved construction. Guys shall be of stranded cable or other approved mechanical construction; suitable shims and thimbles shall be used where required. Guy wires shall be adequately protected by strain insulators, and shall keep a minimum wire crossing clearance as indicated in Table C of this section.

(2) Anchor guys may be attached to City property only with the approval of the Department.

(3) Anchor guys attached to City property will not be permitted:

- (i) Within twenty-five (25) feet of any intersecting street;
 - (ii) Where sufficient strength will be afforded by head guys or pole guys and cribbed poles;
 - (iii) Where the anchor guys would interfere with the entrance to a building or garage.
- (4) Anchor guys attached to City property shall be protected by an approved shield, extending at least eight feet (8) out of the ground, and not less than six feet (6) above the sidewalk.
- (5) Where guy wires are liable to come into contact with electrical conductors, approved insulators shall be installed.

(o) [Intentionally left blank]

(p) Insulators.

On communication lines attached to City property, other methods of attachment approved by the Department may be used in lieu of insulators.

(q) Pole Installations.

- (1) This subdivision shall apply to all street light, traffic control device or wood poles installed or intended to be installed on City property.
- (2) Poles shall not be installed or replaced without obtaining a permit from the Department.
- (3) All plans, designs and/or drawings for pole installations including the specifications for height, setting, foundation and depth in ground shall be provided to the Department for approval prior to obtaining a permit.
- (4) Poles installed and/or relocated after the effective date of this section shall be set at the proper grade and at the approved distance from the curb. The following approved distances from the curb are required, unless otherwise approved by the Department.

| <u>Pole Type</u> | <u>Distance from Curb Edge to the Center of the pole.</u> |
|-----------------------|---|
| <u>Traffic Signal</u> | <u>32 inches</u> |
| <u>Street Light</u> | <u>36 inches</u> |
| <u>Wood Pole</u> | <u>36 inches</u> |

(5) All poles now standing or hereafter erected shall be branded, stamped or marked in a manner approved by the Department with the initials of the company owning them or with some other distinguishing mark of ownership, and a clearly legible serial number at a point not less than five (5) feet nor more than seven (7) feet above the street surface. Where a pole is occupied by wires of more than one company, each group of conductors and/or cross arms shall, where necessary, be distinguished by a characteristic mark, paint or fastening approved by the Department. All poles now standing shall be branded, stamped or marked in the manner as described herein within twelve (12) months of the effective date of this section. In lieu of an ownership mark on a pole, Public Utilities shall, upon completion of a web-based pole ownership database readily identifying pole ownership via the pole serial number, provided the Department with access to such database.

(6) Unless authorized by the Department, poles shall not be erected on both sides of any street requiring new installations.

(7) Poles installed and/or relocated after the effective date of this section shall be spaced not less than eighty (80) feet or more than one hundred thirty (130) feet apart, unless authorized by the Department.

(8) Poles installed and/or relocated after the effective date of this section shall be set at least fifteen (15) feet from hydrants, unless otherwise authorized by the Department.

(9) Poles installed and/or relocated after the effective date of this section shall be set at least seven (7) feet from driveways, unless otherwise authorized by the Department.

(10) Metal poles shall be painted as directed by the Department.

(11) Steps, where provided on poles carrying supply wires, shall be substantially parallel with the roadway. The lowest metal step shall be not less than six and one-half (6 ½) feet from the ground.

(12) Where poles are treated with creosote over one (1) foot above the ground line, they shall be guarded, if necessary, in a manner approved by the Department, to avoid exposure to the public.

(r) Persons Installing, Relocating, Removing/Replacing Street Light Poles and/or Installing/Removing Temporary Pole Taps.

(1) A person requesting to install, relocate, and/or remove/replace street light poles on City property shall provide the Department with the appropriate application, all plans, drawings, and/or designs for said work, including all contractor information, at least sixty (60) days in advance of the expected work. No permit shall be issued to such persons by the Department until all plans are approved by the Department. No work shall be performed without the obtaining of all necessary permits.

(2) A person requesting to install a temporary pole tap on City electrical equipment shall provide the Department with the appropriate application, all plans, drawings, and/or designs for said work, including all contractor information, at least thirty (30) days in advance of the expected work. No permit shall be issued to such persons by the Department until all plans are approved by the Department unless otherwise provided herein. No work shall be performed without the obtaining of all necessary permits.

(3) Notwithstanding paragraph 2 above, Department approval prior to obtaining a permit is not required for temporary pole taps used to facilitate work by Public Utilities in the immediate vicinity of the work site provided that the pole tap is removed whenever Public Utility personnel are not physically present at the site.

(4) All costs for the installation of temporary pole taps and/or the installation, relocation, removal and/or replacement of a streetlight pole shall be borne by the person requesting the work.

(5) A person requesting to erect a street lighting pole on City property in front of his or her property shall comply with the Revocable Consents Rules, Chapter 7 of this Title 34.

(6) Unless otherwise authorized by the Department, temporary lighting shall be provided at or near the street light pole location when a pole is being relocated or is temporarily removed until the new or relocated street light is energized. A minimum 150 Watt HPS luminaire shall be mounted at least eighteen (18) feet above the street. (Please refer to Table B of this section.)

(7) A relocated or removed street light pole shall be appropriately replaced by the end of the permit period.

(8) If a relocated or removed street light pole is not satisfactorily replaced by the end of the permit period, the Department may replace said pole and charge the cost of replacement to the person that requested its relocation or removal.

(9) The wiring to the street light luminaire shall not be disconnected at any time when a temporary pole tap is installed.

(10) A temporary pole tap on City electrical equipment shall be removed by the end of the approved time frame.

(s) Service Conductors, Supply or Communication.

(1) Service conductors shall not be installed on City property unless the installation has received all necessary permits required by the Department and other applicable City agencies.

(2) Except where advance written permission is obtained from the Department, unsupported loops on service conductors installed on City Property shall not exceed one hundred and fifty (150) feet.

(3) Where service for light, communications, or power is to be provided from any metal column or structure located on City property, the conductors shall be protected by metal conduit to a point at least eight (8) feet above the sidewalk and terminate in an approved box or fitting on such column or structure.

(t) Service Connections for Exterior Electrical Installation.

(1) This subdivision shall apply to service connections installed or intended to be installed on City property.

(2) Service shall not be furnished to any exterior electrical installation unless said installation has received all necessary permits from the Department.

(3) A connection shall only be made at the point designated in the permit.

(4) A connection shall not be made to light or power service or wiring in any building without a permit.

(5) Where service for light or power is to be provided from a building or from the secondary side of transformer housed on street:

(i) Service equipment is required. Service equipment shall be not less than 125% of the computed load and in no case less than one hundred (100) amperes, except by special permission of the Department.

(ii) Feeders shall be in good condition, properly insulated, continuous without splices and shall be enclosed in metal conduit from the service connection to an approved service head which shall maintain a minimum clearance as listed in Table B of this section. Conductors for light or power shall not be so interconnected as to form a shunt around any service switch or fuse controlling the supply of current to any electrical installation.

(u) Intentionally left blank

(v) Supports.

(1) This subdivision shall apply to supports installed or intended to be installed on City property.

(2) Wood supports shall not be less than four inches by four inches (4"X4"), and shall be securely fastened in place.

(3) Pipe used for vertical supports shall be not less than one and one-half (1½) inches in diameter and shall be maintained in good condition.

(4) Vertical supports shall be securely erected, and where rigid attachment is not available, shall be well ballasted and securely guyed in at least three (3) directions.

(5) City electrical equipment, such as City-owned poles and supports, shall be securely guyed with head guys not less than #6 AWG and side guys not less than #12 AWG galvanized stranded wires.

(6) Conductors attached to City property shall be supported at least every fifteen (15) feet. Spans in excess of fifteen (15) feet shall be supported on suitable messenger wires every five (5) feet.

(7) Conductors attached to City property shall be supported on approved insulators and secured thereto by insulated wire of same size as conductors.

(8) Messenger wires and conductors attached to City property shall be dead-ended on strain insulators.

(9) Conductors attached to City property shall have approved rubber, weatherproof or slow-burning weatherproof insulating covering, shall not be smaller than #14 AWG, and shall be suspended not less than fourteen (14) feet above the sidewalk, and not less than three (3) feet from any building, when parallel thereto.

(10) Conductors and sockets shall be weatherproof and in good condition.

(11) The ends of conductors shall be securely taped.

(w) Tests, including stray voltage tests.

(1) Owners or operators of lines, equipment and appliances shall make such inspections, tests and determinations as required by law and as directed by the Department.

(i) Prior to performing any installation, removal, repair, and/or work within three (3) feet of any type of City electrical equipment or non-city electrical equipment in the public right-of-way or attached to City Property, including communication circuits, a contractor shall test the equipment for stray voltage. If the equipment tests positive (i.e. has a voltage reading greater than or equal to one(1) volt measured using a voltmeter and a 500 ohm shunt resistor), the electrical contractor shall contact the Department and the appropriate utility company immediately and shall report such test result and the location of the equipment. The contractor shall safeguard the location until the Department and/or the appropriate utility company responds to the location. The electrical contractor shall wait for clearance from the Department and the appropriate utility company prior to the commencement of work.

(ii) After completing any installation, removal, repair, and/or work within three (3) feet of any type of City electrical equipment or non-city electrical equipment in the public right-of-way or attached to City Property, including communication circuits, a contractor shall retest the equipment for stray voltage. If the equipment tests positive, the electrical contractor shall contact the Department and the appropriate utility company immediately and shall report such test result and the location of the equipment. The contractor shall safeguard the location until the Department and/or the appropriate utility company responds to the location.

(2) The results of such tests and determinations shall be provided to the Department as requested.

(x) Transformers and cable boxes.

(1) This subdivision shall apply to transformers and cable boxes installed or intended to be installed on City property.

(2) Transformers and cable boxes shall not be installed on City electrical equipment, in manholes or vaults, or elsewhere in the street without first obtaining a permit.

(3) Transformers and cable boxes shall be so installed as to maintain the clearance between supply lines and communication lines, as specified in Table C of this section unless otherwise provided herein.

(4) Transformers shall be grounded pursuant to all applicable regulations.

(5) Transformers shall not be installed on the sidewalk or roadways without the approval of the Department

(y) Vertical Supply Conductors.

(1) Vertical supply conductors on City electrical equipment carrying communications wires shall have suitable insulating covering and be encased in a suitable, NEC or NESC approved, insulating conduit or casing extending from a point eight (8) feet above the ground up to the bottom of the appropriate cross arm, bracket or transformer; within eight (8) feet of the ground a suitable mechanical protection shall be provided.

(2) Notwithstanding the above, in connection with the use of metal sheathed supply cable, continuous iron pipe may be used throughout, without insulating covering, if the metal sheathed cable is an extension from an underground system, or if the iron pipe is permanently and effectively grounded. Iron pipe extending continuously down the pole and into a building and there grounded to the street side of the water shut-off, shall be considered as permanently and effectively grounded.

STATEMENT OF BASIS AND PURPOSE OF RULES

The Commissioner of Transportation is authorized to promulgate rules regarding streets and highways in the City pursuant to Section 2903 of the New York City Charter and Title 19 of the New York City Administrative Code.

The danger to life and property is inherent in the use of electrical energy. The installation and maintenance of electrical facilities in a densely populated city like New York requires that additional precautions be undertaken. Therefore, the Highway Rules are being amended to require permits to be issued for certain activities relating to electrical equipment associated with the City's streets and sidewalks where pedestrian and vehicular traffic are present and over which the Department exercises direct responsibilities. The primary purpose of the new permitting requirements is to apprise the Department of the location of activities of the public utilities and authorized electrical contractors and to provide opportunities to inspect and respond as appropriate to any conditions that pose safety hazards to the public.

Section 2-01 is being amended to add definitions of overhead shunts, shunts, street shunts and wrap-around shunts since they have never been defined.

Section 2-03 is being amended to add a permit fee for the installation of a street shunt.

In addition, the procedures for working on or within a specific distance of electrical devices, such as communication, lighting and signal poles, have not previously been promulgated as a part of the NYCDOT Highway Rules. An enormous amount of responsibility, expertise and labor is needed to safely construct, test, and maintain this potentially dangerous electrical equipment. Therefore, a new section 2-20 is being added to address the procedures and processes involved in working within a specific distance of or on NYC electrical equipment. The new rules reflect guidelines and procedures that the Department has relied upon in the past for the purpose of maintaining public safety. The new rules address the requirements for constructing, testing and maintaining electrical devices, including communication circuits, in the public right-of-way.