

**66-1714. Penalties; presumption of negligence.** (a) Except as provided further, every person as defined herein who violates any of the provisions of this act may be subject to a civil penalty in a sum set by the court of not more than \$1,000 for each violation. The provisions of this subsection shall not apply to a person who, at the time the act or acts occur which constitute a violation, is acting as an agent or employee under the direction of an individual, firm, joint venture, partnership, corporation, association, municipality or governmental unit.

(b) When it is shown by evidence in a civil action that personal injury, death or other damages, including damage to any high voltage overhead line, occurred as a result of a violation of this act, there shall be a rebuttable presumption of negligence on the part of the violator.

(c) Nothing in this act is intended to limit or modify the provisions of:

- (1) K.S.A. 60-258a, and amendments thereto; or
- (2) the national electrical safety code, which would otherwise be applicable.

**History:** L. 1993, ch. 119, § 6; July 1.