

No. 1981-175

## AN ACT

HB 1175

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for permissible interceptions and disclosures of certain communications.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 5702 of Title 18, act of November 25, 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated Statutes, is amended by adding a definition to read:

§ 5702. Definitions.

As used in this chapter, the following words and phrases shall have the meanings given to them in this section unless the context clearly indicates otherwise:

\* \* \*

*“One call system.” A communication system established by users to provide a single telephone number for contractors or designers or any other person to call notifying users of the caller’s intent to engage in demolition or excavation work.*

\* \* \*

Section 2. Section 5704 of Title 18 is amended by adding a paragraph to read:

§ 5704. Exceptions to prohibition on interception and disclosure of communications.

It shall not be unlawful under this chapter for:

\* \* \*

*(7) A user, or any officer, employee or agent of such user, to record telephone communications between himself and a contractor or designer, or any officer, employee or agent of such contractor or designer, pertaining to excavation or demolition work or other related matters, if the user or its agent indicates to the parties to the conversation that the call will be or is being recorded. The terms “user,” “contractor,” “demolition work,” “designer” and “excavation work” shall have the meanings given to them in the act of December 10, 1974 (P.L.852, No.287), referred to as the Underground Utility Line Protection Law; and a one call system shall be considered for this purpose to be an agent of any user which is a member thereof.*

Section 3. This act shall take effect in 60 days.

APPROVED—The 23rd day of December, A. D. 1981.

DICK THORNBURGH