

**352.110 Mines to have two openings -- Exception -- Condemnation of land for opening.**

- (1) No licensee, superintendent, mine manager, or mine foreman of any mine opened after June 16, 1972, shall permit persons to work therein unless there are to every seam of coal worked in the mine at least two (2) separate outlets, separated by natural strata of not less than one hundred fifty (150) feet in breadth if the mine is worked by shaft or slope, and separated by a pillar of natural strata of not less than two thousand (2,000) square feet if the mine is worked by drift, by which outlets distinct means of ingress and egress are readily available to persons employed in the mine, but it shall not be necessary for the two (2) outlets to belong to the same mine. This subsection does not apply to the openings of a new entry that is being worked for the purpose of making connection between the two (2) outlets so long as not more than twenty (20) persons are employed at one (1) time in making the connection or driving the second opening, or to any mine in which the second opening has been rendered unavailable by reason of final robbing or removal of pillars so long as not more than twenty (20) persons are employed therein at one (1) time, and the workings are no farther than five hundred (500) feet from the bottom of the shaft or slope or from the drift opening.
- (2) If any mine has but one (1) means of ingress or egress for persons employed therein, and the owner does not own suitable ground for another opening, the owner may select appropriate adjacent ground for that purpose and have it condemned pursuant to the Eminent Domain Act of Kentucky.

**Effective:** July 12, 2006

**History:** Amended 2006 Ky. Acts ch. 185, sec. 15, effective July 12, 2006. -- Amended 1996 Ky. Acts ch. 308, sec. 28, effective April 9, 1996. -- Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 14, sec. 279, effective January 2, 1978. -- Amended 1972 Ky. Acts ch. 303, sec. 11. -- Amended 1952 Ky. Acts ch. 162, sec. 20, effective March 5, 1952. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2739-21.

**Legislative Research Commission Note** (4/9/96). The action taken with respect to this statute by 1996 Ky. Acts ch. 308 was to have become effective April 8, 1996, under Section 51 of that Act. The Act, however, did not become effective until April 9, 1996, when the Governor's signed copy of the Act was filed with the Secretary of State.