

ENGROSSED HOUSE  
BILL NO. 1648

By: Rice of the House

and

Williams (Don) of the  
Senate

( oil and gas - structures, improvements or obstructions -  
unreasonable interference - codification - effective date  
- emergency )

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 35.1 of Title 52, unless there  
is created a duplication in numbering, reads as follows:

A. This section shall not apply to any easement granted prior  
to July 1, 1995. Beginning after July 1, 1995, unless otherwise  
specifically authorized in the grant or reservation of the easement  
or in subsection B of this section, it shall be considered  
unreasonable interference with a pipeline easement for a person,  
other than the operator of a pipeline, to:

1. Build, erect, create or expand, or permit the building,  
erection, creation or expansion of a permanent or temporary  
structure or improvement within the boundaries of a pipeline  
easement;

2. Build, erect, create or expand, or permit the building,  
erection, creation or expansion of a permanent or temporary

structure, fence, wall or obstruction adjacent to a pipeline easement which prevents complete and unimpaired surface access to the easement; or

3. Plant or install or permit the planting or installation of shrubbery or shielding within or adjacent to a pipeline easement which impairs or will impair aerial observation of the pipeline.

B. The provisions of this section shall not prevent the revegetation of any landscape within the boundaries of a pipeline easement which was disturbed as a result of construction of the pipeline. In addition this section shall not prevent the holder of the underlying fee interest or the tenant of the holder from planting and harvesting seasonal agricultural crops within the boundaries of the pipeline easement, constructing a driveway across the easement or enclosing the easement within a fenced area. For purposes of this section seasonal agricultural crops shall not include silviculture or any crop produced on trees or shrubs.

C. The owner of the pipeline easement may maintain an action for the enforcement of the provisions of this section.

D. This act only applies to pipelines regulated by the Oklahoma Corporation Commission or Federal Energy Regulatory Commission.

SECTION 2. This act shall become effective July 1, 1995.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 8th day of March, 1995.

Speaker of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 1995.

President                      of the Senate