

1 ENGROSSED SENATE AMENDMENT  
TO  
2 ENGROSSED HOUSE  
BILL NO. 2533

By: Watson of the House

and

Marlatt of the Senate

7 An Act relating to pipelines; directing the  
8 Corporation Commission to open a Notice of Inquiry  
relating to pipeline safety and prevention of  
9 excavation damage; providing for participation of  
interested parties; listing topics to be included in  
10 the Notice of Inquiry; requiring certain findings and  
report to be incorporated into the Notice of Inquiry;  
11 providing for noncodification; and declaring an  
emergency.

14 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and  
entire bill and insert

16 "An Act relating to pipelines; designating the  
Corporation Commission as the enforcement agency for  
17 certain pipeline regulation relating to oil and  
natural gas pipelines; stating construction; defining  
terms; requiring the Corporation Commission to open  
18 certain Notice of Inquiry; listing topics to be  
included in Notice of Inquiry; providing for  
19 codification; providing for noncodification; and  
declaring an emergency."

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

1 SECTION 1. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 142.13 of Title 63, unless there  
3 is created a duplication in numbering, reads as follows:

4 The Corporation Commission is hereby designated as the agency to  
5 enforce the provisions of the Oklahoma Underground Facilities Damage  
6 Prevention Act, Section 142.1 et seq. of Title 63 of the Oklahoma  
7 Statutes, over excavation or demolition on or near or directly over  
8 the location of, and notice of damage to, oil and natural gas  
9 physical facilities which are described by the currently effective  
10 definition of "pipeline" in 49 CFR Part 192.3 and "pipeline" and  
11 "pipeline system" in 49 CFR Part 195.2. Enforcement authority  
12 granted in this section shall be concurrent with and shall not be  
13 construed to modify or limit any private right of action, including  
14 those available pursuant to Section 142.9a of Title 63 of the  
15 Oklahoma Statutes. Terms used in this section shall be as defined  
16 in the Oklahoma Underground Facilities Damage Prevention Act.

17 SECTION 2. NEW LAW A new section of law not to be  
18 codified in the Oklahoma Statutes reads as follows:

19 A. The Corporation Commission shall open a Notice of Inquiry  
20 process relating to pipeline safety and prevention of excavation  
21 damage.

22 B. The Commission shall invite interested parties to  
23 participate in the Notice of Inquiry, as the Commission deems  
24

1 appropriate, and shall address the following topics relating to  
2 pipeline safety issues:

3 1. Implementation of a complaint process under the regulatory  
4 authority of the Commission;

5 2. Assessing the adequacy of the current enforcement powers of  
6 the Commission;

7 3. Clarifying private rights-of-action in legal proceedings;  
8 and

9 4. Any other issues the Commission deems necessary as related  
10 to rules of the United States Department of Transportation Pipeline  
11 and Hazardous Materials Safety Administration.

12 C. The preliminary findings and any final report of the  
13 Pipeline Safety Task Force established by the Governor in Executive  
14 Order No. 2013-19 and Amended Executive Order No. 2013-19 shall be  
15 incorporated into the Notice of Inquiry process opened by the  
16 Commission pursuant to this section.

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

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1 Passed the Senate the 15th day of April, 2014.

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3 \_\_\_\_\_  
4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2014.

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9 Presiding Officer of the House  
10 of Representatives