

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL 2533

By: Watson of the House

and

6 Marlatt of the Senate

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8
9 COMMITTEE SUBSTITUTE

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

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

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

23 The Corporation Commission is hereby designated as the agency to
24 enforce the provisions of the Oklahoma Underground Facilities Damage
Prevention Act, Section 142.1 et seq. of Title 63 of the Oklahoma
Statutes, over excavation or demolition on or near or directly over

1 the location of, and notice of damage to, oil and natural gas
2 physical facilities which are described by the currently effective
3 definition of "pipeline" in 49 CFR Part 192.3 and "pipeline" and
4 "pipeline system" in 49 CFR Part 195.2. Enforcement authority
5 granted in this section shall be concurrent with and shall not be
6 construed to modify or limit any private right of action, including
7 those available pursuant to Section 142.9a of Title 63 of the
8 Oklahoma Statutes. Terms used in this section shall be as defined
9 in the Oklahoma Underground Facilities Damage Prevention Act.

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

12 A. The Corporation Commission shall open a Notice of Inquiry
13 process relating to pipeline safety and prevention of excavation
14 damage.

15 B. The Commission shall invite interested parties to
16 participate in the Notice of Inquiry, as the Commission deems
17 appropriate, and shall address the following topics relating to
18 pipeline safety issues:

19 1. Implementation of a complaint process under the regulatory
20 authority of the Commission;

21 2. Assessing the adequacy of the current enforcement powers of
22 the Commission;

23 3. Clarifying private rights-of-action in legal proceedings;
24 and

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

4 C. The preliminary findings and any final report of the
5 Pipeline Safety Task Force established by the Governor in Executive
6 Order No. 2013-19 and Amended Executive Order No. 2013-19 shall be
7 incorporated into the Notice of Inquiry process opened by the
8 Commission pursuant to this section.

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

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