

An Act

ENROLLED HOUSE
BILL NO. 2533

By: Watson of the House

and

Marlatt of the Senate

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

SUBJECT: Pipelines

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 142.13 of Title 63, unless there is created a duplication in numbering, reads as follows:

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

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

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

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

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

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

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

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

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

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 5th day of May, 2014.

Presiding Officer of the House
of Representatives

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

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____