

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

SENATE FILE NO. _____

Pipeline inspection and safety.

Sponsored by: Joint Minerals, Business and Economic
Development Interim Committee

A BILL

for

1 AN ACT relating to public service commission; changing the
2 name of the Natural Gas Pipeline Safety Act of 1968 to the
3 Pipeline Inspection, Protection, Enforcement, and Safety
4 Act of 2006; increasing penalties; eliminating an outdated
5 definition no longer used regarding supplemental safety
6 jurisdiction; requiring acceptance by the state of Wyoming
7 of delegation of authority; modifying breadth of
8 supplemental safety jurisdiction; and providing for an
9 effective date.

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11 *Be It Enacted by the Legislature of the State of Wyoming:*

12

1 **Section 1.** W.S. 37-2-128 and 37-2-131(a) are amended
2 to read:

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4 **37-2-128. Civil penalty for violation of federal**
5 **Pipeline Inspection, Protection, Enforcement, and Safety**
6 **Act of 2006; generally.**

7

8 Where the commission has exercised authority under the
9 provisions of the federal ~~Natural Gas Pipeline Safety Act~~
10 ~~of 1968, 49 U.S.C. 1671 through 1687~~ Pipeline Inspection,
11 Protection, Enforcement, and Safety Act of 2006, 49 U.S.C.
12 § 60101, et seq., and amendments thereto, to regulate gas
13 safety in the state of Wyoming, any person or persons as
14 defined in that act who hereafter violate any provision of
15 that act as made applicable to jurisdictional activities
16 within the state of Wyoming shall be subject to a civil
17 penalty not to exceed ~~twenty five thousand dollars~~
18 ~~(\$25,000.00)~~ one hundred thousand dollars (\$100,000.00) for
19 violation for each day that the violation persists.
20 However, the maximum civil penalty shall not exceed ~~five~~
21 ~~hundred thousand dollars (\$500,000.00)~~ one million dollars
22 (\$1,000,000.00) for any related series of violations.

23

1 **37-2-129. Civil penalty for violation of federal Pipeline**
2 **Inspection, Protection, Enforcement, and Safety Act of**
3 **2006; compromise and recovery thereof.**

4 **[Staff Note: The change to Section 129 is to the heading**
5 **only, so the 129 heading will be deleted from the final**
6 **bill.]**

7
8 **37-2-131. Supplemental safety jurisdiction of**
9 **commission.**

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11 (a) The commission shall have regulatory safety
12 jurisdiction over any "intrastate gas pipeline facility" as
13 defined under the ~~Natural Gas Pipeline Safety Act of 1968;~~
14 Pipeline Inspection, Protection, Enforcement, and Safety
15 Act of 2006, 49 U.S.C. § 60101, et seq., as amended, for
16 the sole purpose of implementing the safety standards and
17 practices of the federal act to such intrastate gas
18 pipeline facility. This jurisdiction shall not apply to an
19 "intrastate gas pipeline facility" which is otherwise
20 subject to federal regulatory jurisdiction for safety
21 purposes. The commission is authorized under this section
22 to implement such safety standards and practices only to
23 the extent the secretary of transportation is so authorized

1 under the ~~Natural Gas Pipeline Safety Act~~ Pipeline
2 Inspection, Protection, Enforcement, and Safety Act of
3 2006. The commission's jurisdiction under this section
4 shall only apply where the secretary of transportation has
5 delegated, or otherwise authorized, the state of Wyoming to
6 act on his behalf, and the state of Wyoming has formally
7 accepted the delegation or other authorization prior to the
8 exercise of the jurisdiction by the commission. ~~The~~
9 ~~supplemental safety jurisdiction granted under this section~~
10 ~~shall not include the gathering of gas by pipeline in any~~
11 ~~rural locations which lie outside the limits of any~~
12 ~~incorporated or unincorporated city, town, village or any~~
13 ~~other designated residential or commercial area such as a~~
14 ~~subdivision, a business or shopping center, a community~~
15 ~~development or any similarly populated area.~~

16

17 **Section 2.** This act is effective July 1, 2009.

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(END)