

ORIGINAL SENATE  
FILE NO. 0044

ENROLLED ACT NO. 63, SENATE

SIXTIETH LEGISLATURE OF THE STATE OF WYOMING  
2009 GENERAL SESSION

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1968 to the Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006; increasing penalties; eliminating an outdated definition no longer used regarding supplemental safety jurisdiction; providing for acceptance by the state of Wyoming of delegation of authority; modifying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

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

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

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

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

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**37-2-131. Supplemental safety jurisdiction of  
commission.**

(a) The commission shall have regulatory safety jurisdiction over any "intrastate gas pipeline facility" as defined under the ~~Natural Gas Pipeline Safety Act of 1968;~~ Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006, 49 U.S.C. § 60101, et seq., as amended, for the sole purpose of implementing the safety standards and practices of the federal act to such intrastate gas pipeline facility. This jurisdiction shall not apply to an "intrastate gas pipeline facility" which is otherwise subject to federal regulatory jurisdiction for safety purposes. The commission is authorized under this section to implement such safety standards and practices only to the extent the secretary of transportation is so authorized under the ~~Natural Gas Pipeline Safety Act~~ Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006. The commission's jurisdiction under this section shall only apply where the secretary of transportation has delegated, or otherwise authorized, the state of Wyoming to act on his behalf, ~~. The supplemental safety jurisdiction granted under this section shall not include the gathering of gas by pipeline in any rural locations which lie outside the limits of any incorporated or unincorporated city, town, village or any other designated residential or commercial area such as a subdivision, a business or shopping center, a community development or any similarly populated area and the state of Wyoming has formally accepted the delegation or other authorization prior to the exercise of the jurisdiction by the commission.~~

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

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the Senate.

\_\_\_\_\_  
Chief Clerk