

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 760

By: Marlatt

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5  
6 AS INTRODUCED

7 An Act relating to oil and gas; amending 52 O.S.  
8 2011, Section 5, which relates to promulgation of  
9 rules; defining terms; and providing an effective  
10 date.

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

12 SECTION 1. AMENDATORY 52 O.S. 2011, Section 5, is  
13 amended to read as follows:

14 Section 5. A. The Corporation Commission is hereby authorized,  
15 directed and empowered to promulgate, adopt and enforce reasonable  
16 rules establishing minimum state safety standards for the design,  
17 construction, maintenance and operation of all pipelines used for  
18 the transmission and distribution of natural gas in this state.  
19 However, except as otherwise provided in subsection B of this  
20 section, the Commission shall not promulgate, enforce or interpret  
21 any rule or regulation unless such rule, regulation or  
22 interpretation shall be consistent with and no more restrictive than  
23 the rules, regulations and interpretations of the United States  
24 Secretary of Transportation for pipeline transportation and pipeline

1 facilities. When any such transmission pipeline shall be  
2 constructed, operated or maintained under, through and across a  
3 highway, section-line road or improved public road or street, there  
4 shall be erected directly above where such pipeline enters or leaves  
5 said highway, section-line road or improved public road or street, a  
6 suitable sign or marker stating thereon the name of the owner of  
7 such pipeline and such other information as the Corporation  
8 Commission may by rule direct.

9 B. The Commission is authorized and directed to promulgate and  
10 enforce reasonable rules relating to an incident on a gathering  
11 pipeline unit not subject to the U.S. Department of Transportation  
12 Pipeline Safety Regulations, codified at 49 CFR Parts 191 and 192,  
13 provided that such rules of the Commission are limited to the  
14 following specified areas: telephonic notification of and a written  
15 report about the incident which shall be consistent with and require  
16 no more information than the rules, regulations and interpretations  
17 issued by the U.S. Department of Transportation Pipeline Safety  
18 Regulations relating to the reporting of incidents, maps depicting  
19 the location of the incident, and reasonable corrective measures to  
20 the gathering pipeline unit involved in the incident.

21 C. For the purposes of this section:

22 1. "Incident" shall have the same meaning as it is defined in  
23 the U.S. Department of Transportation, Pipeline Safety Regulations;  
24 ~~and~~

1       2. "Gathering pipeline unit" means the portion of the  
2 nonregulated gathering pipeline involved in the incident not to  
3 exceed one mile of pipeline; and

4       3. "Pipeline" or "Pipeline system" means all parts of those  
5 physical facilities through which gas moves in transportation  
6 including, but not limited to, pipe, compressor units, metering  
7 stations, regulator stations, delivery stations, holders and  
8 fabricated assemblies.

9       D. If contacted by any other entity or person regarding an  
10 incident, as defined in paragraph 1 of subsection C of this section,  
11 the Commission may disclose to such entity or person the time, date  
12 and location of the incident, the identity of the operator involved  
13 in the incident, the size of the gathering pipeline involved and the  
14 number of fatalities or injuries, if any, resulting from the  
15 incident.

16       E. With the exception of the information outlined in subsection  
17 D of this section, all reports, data, maps or other information  
18 which the Commission may be authorized to obtain under the  
19 provisions of this section may be filed as confidential and the  
20 Commission shall maintain them as confidential and such records  
21 shall not be subject to the provisions of the Oklahoma Open Records  
22 Act. Only authorized Commission employees may obtain or access such  
23 confidential records.

1 F. The Corporation Commission may appoint a registered  
2 professional engineer with actual experience in the design,  
3 construction, maintenance or operation of natural gas pipelines, and  
4 such other personnel as may be provided by law, to carry out the  
5 provisions of Section 1 et seq. of this title. Such engineer shall  
6 be furnished with personnel, supplies and equipment as may be  
7 necessary to carry out the provisions of Section 1 et seq. of this  
8 title. The expenses of any inspection shall be borne and paid for  
9 by the parties laying and constructing or operating such pipelines  
10 for the transportation or transmission of natural gas.

11 SECTION 2. This act shall become effective November 1, 2017.

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