

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1582

5 By: Representative Barnett
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For An Act To Be Entitled

8 AN ACT TO AMEND THE ARKANSAS NATURAL GAS PIPELINE
9 SAFETY ACT OF 1971; AND FOR OTHER PURPOSES.
10
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Subtitle

12 TO AMEND THE ARKANSAS NATURAL GAS
13 PIPELINE SAFETY ACT OF 1971.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code § 23-15-205(a), concerning safety standards
20 for transporting gas and pipeline facilities, is amended to read as follows:

21 (a) The Arkansas Public Service Commission by order ~~pursuant to the~~
22 ~~provisions of the Arkansas Administrative Procedure Act, § 25-15-201 et seq.,~~
23 ~~for purposes of this subchapter only~~ may promulgate, amend, enforce, waive,
24 and repeal minimum safety standards for the transportation of gas and
25 pipeline facilities.
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27 SECTION 2. Arkansas Code § 23-15-211(a), concerning civil penalties
28 for violating safety rules for pipeline facilities or transporting gas, is
29 amended to read as follows:

30 (a) ~~Any~~ A person who violates ~~any~~ a provision of § 23-15-209 or ~~any~~ a
31 regulation issued under this subchapter ~~shall be~~ is subject to a civil
32 penalty not to exceed:

33 ~~(1) one hundred thousand dollars (\$100,000)~~ Two hundred thousand
34 dollars (\$200,000) for each day that the violation persists; ~~and~~

35 ~~(2) However, the maximum civil penalty shall not exceed one~~
36 ~~million dollars (\$1,000,000)~~ Two million dollars (\$2,000,000) for any related



1 series of violations.

2
3 SECTION 3. Arkansas Code § 23-15-214(c)(1), concerning the annual
4 assessment fee charged to the transporter, owner, or operator of a natural
5 gas pipeline, is amended to read as follows:

6 (c)(1) The calculation of annual assessment fees will be based on the
7 pipeline miles reported to the Office of Pipeline Safety of the Arkansas
8 Public Service Commission on or before ~~February 15~~ March 15 of each year.

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10 SECTION 4. Arkansas Code Title 5, Chapter 69, is amended to add an
11 additional section to read as follows:

12 5-69-218. Pipelines and pipeline facilities.

13 (a) A person who knowingly violates 49 U.S.C. § 60114(b), § 60118(a),
14 or § 60128 as they existed on February, 2013, or a regulation prescribed or
15 order issued under 49 U.S.C. § 60101 et seq. shall be fined under United
16 States Code Title 18 or imprisoned for not more than five (5) years, or both.

17 (b) A person who knowingly damages or destroys an interstate gas
18 pipeline facility, an interstate hazardous liquid pipeline facility, or
19 either an intrastate gas pipeline facility or intrastate hazardous liquid
20 pipeline facility that is used in interstate or foreign commerce or in any
21 activity affecting interstate or foreign commerce, or who attempts or
22 conspires to do such an act, shall be fined under United States Code Title 18
23 or imprisoned for not more than twenty (20) years, or both, and if death
24 results to any person, shall be imprisoned for any term of years or life.

25 (c) A person who knowingly defaces, damages, removes, or destroys a
26 pipeline sign or right-of-way marker required by law or regulation of the
27 United States shall be fined under United States Code Title 18 or imprisoned
28 for not more than one (1) year, or both.