

Senate Bill 117

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SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Authorizes Public Utility Commission to set by rule certain civil penalty amounts, not to exceed civil penalties set by applicable federal law.

A BILL FOR AN ACT

1
2 Relating to pipeline safety enforcement; amending ORS 757.991.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 757.991 is amended to read:

5 757.991. (1)(a) Any person or municipality, or any agent, lessee, trustee or receiver of the person
6 or municipality, engaged in the management, operation, ownership or control of facilities for the
7 transmission or distribution of gas by pipeline, or of facilities for the storage or treatment of gas to
8 be transmitted or distributed by pipeline, *[who]* **that** fails to comply with ORS 757.039, or fails to
9 comply with any order, rule or regulation of the Public Utility Commission made pursuant to ORS
10 757.039, is subject to a civil penalty *[not to exceed \$200,000 for each such failure for each day that the*
11 *failure persists, except that the maximum civil penalty may not exceed \$2 million for any related series*
12 *of failures]* **established by rule by the commission.**

13 **(b) The civil penalty amount for a violation or series of violations described in this sec-**
14 **tion may not exceed the administrative civil penalty amount set forth in 49 C.F.R. 190.223 for**
15 **a violation or series of violations of the applicable federal law described therein.**

16 (2) Notwithstanding ORS 183.315 (6), 183.745 (7)(d) and 756.500 to 756.610, civil penalties under
17 this section must be imposed by the commission as provided in ORS 183.745.

18 (3) Civil penalties collected under this section must be paid into the General Fund and credited
19 to the Public Utility Commission Account as described in ORS 756.990 (7).

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NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.