

1 H.612

2 Introduced by Representatives Botzow of Pownal and Marcotte of Coventry

3 Referred to Committee on

4 Date:

5 Subject: Utilities; Gas Pipeline Safety Program; civil penalties

6 Statement of purpose of bill as introduced: This bill proposes to increase the  
7 civil penalties for violations of the Gas Pipeline Safety Program.

8 An act relating to Gas Pipeline Safety Program penalties

9 It is hereby enacted by the General Assembly of the State of Vermont:

10 Sec. 1. 30 V.S.A. § 2816 is amended to read:

11 § 2816. CIVIL PENALTY FOR VIOLATION OF GAS SAFETY

12 STANDARDS

13 (a) Gas Pipeline Safety Program. Any person who violates any statute,  
14 rule, regulation, or order of the ~~public service board~~ Public Service Board  
15 relating to safety standards or safety practices applicable to transportation of  
16 gas through gas pipeline facilities subject to the jurisdiction of the ~~public~~  
17 ~~service board~~ Public Service Board is subject to a civil penalty of not more  
18 than ~~\$100,000.00~~ \$200,000.00 for each violation for each day that the violation  
19 persists. However, the maximum civil penalty shall not exceed ~~\$1,000,000.00~~  
20 \$2,000,000.00 for any related series of violations. The penalty may be

1 imposed by the ~~board~~ Board after notice to the offending person of the alleged  
2 violations and opportunity for hearing.

3 (b) Any civil penalty may be compromised by the ~~public service board~~  
4 Public Service Board. In determining the amount of the penalty, or the amount  
5 agreed upon in compromise, the appropriateness of the penalty to the size of  
6 the business of the person charged, the gravity of the violation, and the good  
7 faith of the person in attempting to achieve compliance, after notification of a  
8 violation, shall be considered. The amount of the penalty, when finally  
9 determined, or the amount agreed upon in compromise, may be deducted from  
10 any sums owing by the ~~state~~ State to the person charged or may be recovered  
11 in a civil action based upon this section.

12 Sec. 2. EFFECTIVE DATE

13 This act shall take effect on passage.