

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1076 Session of 2013

INTRODUCED BY WHITE, BAKER, FERLO, TARTAGLIONE, RAFFERTY,
KASUNIC, BREWSTER, PILEGGI, SCHWANK, YUDICHAK, SOLOBAY,
HUGHES, COSTA, MENSCH AND BRUBAKER, AUGUST 29, 2013

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
AUGUST 29, 2013

AN ACT

1 Amending the act of December 10, 1974 (P.L.852, No.287),
2 entitled "An act to protect the public health and safety by
3 preventing excavation or demolition work from damaging
4 underground lines used in providing electricity,
5 communication, gas, propane, oil delivery, oil product
6 delivery, sewage, water or other service; imposing duties
7 upon the providers of such service, recorders of deeds, and
8 persons and other entities preparing drawings or performing
9 excavation or demolition work; and prescribing penalties,"
10 further providing for the definition of "line" or "facility."

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. The definition of "line" or "facility" in section
14 1 of the act of December 10, 1974 (P.L.852, No.287), referred to
15 as the Underground Utility Line Protection Law, amended November
16 29, 2006 (P.L.1593, No.181), is amended to read:

17 Section 1. As used in this act:

18 * * *

19 "Line" or "facility" means an underground conductor or
20 underground pipe or structure used in providing electric or
21 communication service, or an underground pipe used in carrying,

1 gathering, transporting or providing natural or artificial gas,
2 petroleum, propane, oil or petroleum and production product,
3 sewage, water or other service to one or more transportation
4 carriers, consumers or customers of such service and the
5 appurtenances thereto, regardless of whether such line or
6 structure is located on land owned by a person or public agency
7 or whether it is located within an easement or right-of-way. The
8 term shall include unexposed storm drainage and traffic loops
9 that are not clearly visible. The term shall not include crude
10 oil or natural gas production and gathering lines or facilities
11 unless the line or facility:

12 (1) is a regulated onshore gathering line as defined in
13 regulations promulgated after January 1, 2006, by the United
14 States Department of Transportation pursuant to the Pipeline
15 Safety Act of 1992 (Public Law 102-508, 49 U.S.C. § 60101 et
16 seq.), if the regulated gathering line is subject to the damage
17 prevention program requirements of 49 CFR § 192.614[.]; or

18 (2) is a gathering line, as defined in 58 Pa.C.S. §
19 3218.5(b) (relating to gathering lines), that is used to gather
20 natural gas produced from an unconventional gas well as defined
21 in 58 Pa.C.S. § 2301 (relating to definitions).

22 * * *

23 Section 2. This act shall take effect in 60 days.