

48:2-13

LEGISLATIVE HISTORY CHECKLIST
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(Natural Gas Safety Act)

NJSA: 48:2-13

LAWS OF: 1952 **CHAPTER:** 166

BILL NO: A375

SPONSOR(S) Fowler

DATE INTRODUCED: February 11, 1952

COMMITTEE: **ASSEMBLY:** Judiciary
SENATE: Public Safety

AMENDED DURING PASSAGE: Yes Committee Substitute
(OCR) enacted

DATE OF PASSAGE: **ASSEMBLY:** March 21, 1952
SENATE: March 28, 1952

DATE OF APPROVAL: March 8, 1952

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No
SENATE: No

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBG:pp

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COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 375

STATE OF NEW JERSEY

ADOPTED MARCH 17, 1952

AN ACT concerning natural gas pipeline utilities and authorizing the Board of Public Utility Commissioners of New Jersey to promulgate reasonable rules, regulations, and orders for the safe construction, operation, and maintenance of pipelines for the transmission of natural gas within and through the State, providing for enforcement of orders, and supplementing Title 48 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Title.

2 The short title of this act shall be the Natural Gas Safety Act.

1 2. Definitions.

2 (a) "Board" shall mean the Board of Public Utility Commissioners of
3 New Jersey.

4 (b) "Natural gas pipeline utility" shall mean any individual, co-part-
5 nership, association, corporation, or joint stock company, their lessees, trus-
6 tees or receivers appointed by any court whatsoever, that now or hereafter
7 may own, operate, manage, or control any pipeline used for the transmission
8 of natural gas within or through this State, but shall not include any indi-
9 vidual, co-partnership, association, corporation, or joint stock company
10 which, within this State, is engaged in the business of manufacturing, buy-
11 ing, or selling manufactured, mixed, or natural gas or a mixture of such gases
12 with other gases and distributing the same to consumers within this State.

13 (c) "Pipeline" shall include compressor plants and other facilities inte-
14 grated with pipeline operations.

1 3. The board shall have general supervision and regulation of, and juris-
2 diction and control over natural gas pipeline utilities as herein defined and
3 their property, equipment, and facilities so far as may be necessary for the
4 protection of life, health, and property of the citizens of this State.

1 4. Board to prescribe rules, regulations; promulgate orders.

2 The board, after hearing, upon notice, may prescribe reasonable rules
3 and regulations for the safe construction, operation and maintenance by na-
4 tural gas pipeline utilities of pipelines for the transmission of natural gas
5 within or through the State of New Jersey, and may, after hearing, upon no-
6 tice, promulgate reasonable orders requiring compliance with such rules and
7 regulations; *provided, however*, such rules, regulations, and orders shall not
8 be inconsistent with or contrary to the provisions of the Federal Natural
9 Gas Act, as amended, or any rules, regulations and orders promulgated
10 thereunder.

1 5. Factors to be considered.

2 In determining reasonable rules and regulations, the board shall con-
3 sider, among others, such factors as the economic necessity and desirability
4 of natural gas service, the effect of such rules and regulations on the cost of
5 natural gas service, the preservation of tangible and intangible property
6 values, private and public, the possibility of injury to persons or property
7 from fire or explosion, the possibility of a public disaster in an area of dense
8 population, the possibility of interruption of other essential public utility
9 services, whether such pipelines should be predominantly above or below the
10 surface of the ground, and the operating safety record of pipelines already
11 constructed and operating in New Jersey.

1 6. General powers.

2 In carrying out the provisions of this act, the board shall have all powers
3 now vested in it by Title 48 of the Revised Statutes, including, among others,
4 the power to compel the attendance of witnesses and the production of rele-

5 vant documents, books, papers and records, and the power to prescribe forms
6 of reports necessary and proper in the administration and enforcement of
7 this act.

1 7. Enforcement of orders.

2 Enforcement of orders of the board duly promulgated under this act
3 shall be as provided in Title 48 of the Revised Statutes.

1 8. Separability of provisions.

2 If any provision of this act or the application of such provision to any
3 person or circumstances is held invalid, the remainder of the act and the ap-
4 plication of such provision to other persons or circumstances shall not be
5 affected thereby.

1 9. Effective date.

2 This act shall take effect immediately.

ASSEMBLY, No. 375

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 11, 1952

By Mr. FOWLER

Referred to Committee on Judiciary

AN ACT relating to the construction, operation and maintenance of pipelines for the transmission of natural gas within and through the State, amending section 48:2-13, and supplementing Title 48, of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Section 48:2-13 of the Revised Statutes is amended to read as follows:

2 48:2-13. The board shall have general supervision and regulation of and
3 jurisdiction and control over all public utilities as hereinafter in this sec-
4 tion defined and their property, property rights, equipment, facilities and
5 franchises so far as may be necessary for the purpose of carrying out the
6 provisions of this Title.

7 The term "public utility" shall include every individual, co-partner-
8 ship, association, corporation or joint stock company, their lessees, trustees
9 or receivers appointed by any court whatsoever, that now or hereafter may
10 own, operate, manage or control within this State any steam railroad, street
11 railway, traction railway, autobus, canal, express, subway, pipeline, gas,
12 electric light, heat, power, water, oil, sewer, telephone or telegraph system,
13 plant or equipment for public use, under privileges granted or hereafter to
14 be granted by this State or by any political subdivision thereof [.]; and said
15 term shall also include every individual, co-partnership, association, corpo-
16 ration or joint stock company duly authorized to transact business in this

17 State, their lessees, trustees or receivers appointed by any court whatsoever,
18 that now or hereafter may own, operate, manage or control any pipeline
19 used for the transmission of natural gas within or through this State.

20 Nothing contained in this Title shall extend the powers of the board to
21 include any supervision and regulation of, or jurisdiction and control over
22 any vehicles engaged in the transportation of passengers for hire in the
23 manner and form commonly called taxicab service unless such service be-
24 comes or is held out to be regular service between stated termini; hotel
25 buses used exclusively for the transportation of hotel patrons to or from
26 local railroad or other common carrier stations, including local airports,
27 or bus employed solely for transporting school children and teachers, or any
28 autobus with a carrying capacity of not more than eight passengers now or
29 hereafter operated under municipal consent upon a route established wholly
30 within the limits of a single municipality, which route does not in whole or
31 in part parallel upon the same street the line of any street railway or trac-
32 tion railway or any other autobus route.

1 2. As used herein:

2 (a) "Board" shall mean the Board of Public Utility Commissioners of
3 the State of New Jersey.

4 (b) "Pipeline" shall include compressor plants and other facilities inte-
5 grated with pipeline operations.

1 3. In addition to and not in limitation of other powers, functions and
2 duties conferred or imposed upon it by law: (a) the board may, upon notice
3 and after hearing establish, and from time to time amend, modify or repeal,
4 such reasonable rules and regulations as may be necessary to protect the
5 public health, safety and welfare, for the safe construction, operation and
6 maintenance by any public utility as defined in section 48:2-13 of the
7 Revised Statutes, of pipelines for the transmission of natural gas within or
8 through the State of New Jersey; and said board may, upon notice and after
9 hearing, promulgate such reasonable orders as it may determine to be neces-
10 sary, requiring compliance by any such public utility with such rules and

11 regulations; (b) the board shall have the power to compel by its subpoena the
12 attendance and testimony of witnesses and the production of books, records,
13 papers and documents relating to any matter under its consideration, exam-
14 ination, or investigation in the performance of its duties hereunder; (c)
15 the board shall also have the power to prescribe the forms of reports, to
16 be submitted to it by any such public utility, which are in the board's judg-
17 ment necessary for the proper administration and enforcement of the provi-
18 sions of this act.

18A Rules, regulations and orders established or made by the board here-
19 under shall not be in conflict with any express provision of the Federal
20 Natural Gas Act, as amended, or any rules, regulations and orders duly pro-
21 mulgated thereunder.

22 The purposes set forth in subparagraph (a) of this section, together
23 with the factors set forth in section four hereof, shall be deemed to be the
24 standards upon which such rules and regulations may be made.

1 4. In establishing reasonable rules and regulations hereunder, the board
2 shall consider, among others, such factors as: (a) the economic necessity
3 and desirability of natural gas service; (b) the effect of such rules and regu-
4 lations on the cost of natural gas service; (c) the possibility of injury to
5 persons or property from fire or explosion; (d) the possibility of a public
6 disaster in an area of dense population; (e) the possibility of interruption
7 of other essential public utility services; (f) whether such pipelines should
8 be predominantly above or below the surface of the ground; (g) the preser-
9 vation of tangible and intangible property values, private and public; and
10 (h) the operating safety record of pipelines already constructed and oper-
11 ating in New Jersey.

1 5. If any provision of this act or the application thereof to any person
2 or circumstance is held invalid, such invalidity shall not affect other provi-
3 sions or applications of the act which can be given effect without the invalid

4 provision or application and to this end the provisions of this act are de-
5 clared to be severable.

1. 6. This act shall take effect immediately.

STATEMENT

The purpose of this bill is stated in its title.