

SENATE, No. 882

STATE OF NEW JERSEY

INTRODUCED JUNE 22, 1970

By Senators HAGEDORN, SCHIAFFO, DICKINSON, KNOWLTON,
STOUT, SCHOEM, SISCO and SCIRO

Referred to Committee on Transportation and Public Utilities

A SUPPLEMENT to the "Natural Gas Safety Act," approved May 9,
1952 (P. L. 1952, c. 166).

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

1 1. Any person who violates any provision of the Natural Gas
2 Safety Act, (P. L. 1952, c. 166, C. 48:10-2 et seq.) as amended and
3 supplemented or any order, rule or regulation issued thereunder,
4 shall be subject to a civil penalty of not more than \$2,500.00 for each
5 violation for each day that the violation persists; however, the
6 maximum civil penalty shall not exceed \$200,000.00 for any related
7 series of violations.

8 Any civil penalty may be compromised by the Board of Public
9 Utility Commissioners. In determining the amount of the penalty,
10 or the amount agreed upon in compromise, the appropriateness of
11 the penalty to the size of the business of the person charged, the
12 gravity of the violation, and the good faith of the person charged in
13 attempting to achieve compliance, after notification of a violation,
14 shall be considered. The amount of the penalty, when finally de-
15 termined, or the amount agreed upon in compromise, may be
16 deducted from any sums owing by the State to the person charged
17 or may be recovered in a summary proceeding in accordance with
18 the Penalty Enforcement Law (N. J. S. 2A:58-1 et seq.). The
19 Superior Court, County Court, county district court and the mu-
20 nicipal court shall have jurisdiction to enforce the provisions of
21 this act.

1 2. This act shall take effect immediately.

STATEMENT

The Natural Gas Pipeline Safety Act of 1968 requires that each state, in order to receive certification to regulate transportation of gas and the safety of pipeline facilities, must have the authority to enforce the state standards by way of injunction and penalties. These enforcement provisions must be similar to those in Section 5(a) of the federal act. Although Title 48 presently contains injunctive provisions (N. J. S. 48:2-41) it is necessary to adopt penalty enforcement provisions similar to those in the federal act. Enactment of this bill will accomplish that purpose.