

105TH CONGRESS  
2D SESSION

# S. 2472

To amend the Federal Land Policy and Management Act of 1976 to exempt the holder of a right-of-way on public lands granted, issued, or renewed for an electric energy generation, transmission, or distribution system from certain strict liability requirements otherwise imposed in connection with such a right-of-way.

---

## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 15, 1998

Mr. WYDEN (for himself, Mr. DASCHLE, Mr. SMITH of Oregon, Mr. BAUCUS, Mr. CRAIG, Mr. JOHNSON, and Mr. BURNS) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

---

## A BILL

To amend the Federal Land Policy and Management Act of 1976 to exempt the holder of a right-of-way on public lands granted, issued, or renewed for an electric energy generation, transmission, or distribution system from certain strict liability requirements otherwise imposed in connection with such a right-of-way.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. EXEMPTION FOR CERTAIN RIGHT-OF-WAY**  
2 **HOLDERS FROM STRICT LIABILITY FOR RE-**  
3 **COVERY OF FIRE SUPPRESSION COSTS.**

4 Section 504(h) of the Federal Land Policy and Man-  
5 agement Act of 1976 (43 U.S.C. 1764(h)) is amended by  
6 adding at the end the following:

7 “(3) FIRE SUPPRESSION COSTS.—In the regula-  
8 tions required under this subsection, the Secretary  
9 concerned may not impose liability without fault  
10 against any holder of a right-of-way granted, issued,  
11 or renewed under section 501(a)(4) to recover fire  
12 suppression costs incurred by the United States with  
13 respect to right-of-way.”.

○