§ 23-1713. Transportation of liquefied natural and petroleum gas; certified routes.

1. Except for transportation by navigable waterways, all intrastate transportation of liquefied natural and petroleum gas in its cryogenic state must be along established routes in accordance with a schedule filed with the department, and approved in accordance with this section.

2. The department of transportation in consultation with the department of environmental conservation shall establish criteria for the safe transportation of such liquefied natural and petroleum gas. Such criteria shall take into consideration the proximity of the route or routes to contiguous populations, the capability of municipal fire departments to protect communities and contiguous populations against fire cloud damage attendant upon vapor release of the gas from its cryogenic state due to accident or malfunction in equipment, and the risk of further accident related thereto and conflagration attendant upon its ignition. Such department's criteria shall be no less restrictive than existing federal regulations. Such department shall within one year from the effective date of this section, adopt regulations prescribing the forms and procedures to be followed, which shall include notice to all affected municipal police and fire departments, for the certification of routes to be used for the safe intrastate transportation of such liquefied natural and petroleum gas.

3. The department of transportation in consultation with the department of environmental conservation shall maintain a map of certified routes for the intrastate transportation of such liquefied natural and petroleum gas. In order to have a route certified under this section, any person proposing to undertake intrastate transportation of such liquefied natural or petroleum gas shall file with such department the proposed transportation route, subject to approval as herein provided.

4. Upon application therefor, and before certifying a route for intrastate transportation of such liquefied natural or petroleum gas under subdivision three, the department of transportation shall hold a

public hearing and shall render a decision with respect thereto in accordance with the requirements of section 23-1711, and, to the extent applicable, section 23-1709. In addition, upon route certification, such limitations as are appropriate for safety purposes shall be established by such department for each such certified route, and the department, further, shall establish procedure and notice requirements for the particular route, in accordance with subdivision two hereof, to be given to all affected municipal police and fire departments, to assure adequate notice to all affected municipalities.