

## **BILL ANALYSIS**

Senate Research Center  
87R7207 ANG-D

H.B. 2957  
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Natural Resources & Economic Development  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Chapter 423, Government Code, prescribes certain circumstances where it is lawful to capture an image using an unmanned aircraft (hereafter, drones). Broadly, the chapter authorizes the Railroad Commission of Texas (RRC) to use drones to capture images at the scene of a spill, or a suspected spill, of hazardous materials; in connection with oil pipeline safety and rig protection; for the purpose of fire suppression; and with the consent of the landowner. In 2020, RRC launched a drone program to enhance the agency's response to oilfield leaks, spills, and emergencies.

Interested parties observe that RRC's authority for drone use could be expanded to include other inspection functions authorized by agency rules and statute. For example, drones could assist the agency's efforts to identify abandoned wells, inspect wells for compliance with agency environmental and safety rules, and, among other activities, ensure compliance with statewide well spacing requirements.

Interested parties further observe that state law could be amended to provide clear, explicit authority for agency pipeline and surface mining inspectors to use drones for inspection purposes. While state law authorizes the use of drones in connection with pipeline safety, and federal law authorizes delegated agencies' use of drones, interested parties observe that Texas's drone statutes could be amended to provide explicit authorization for the use of drones for inspection purposes.

H.B. 2957 is the companion of S.B. 1583, which authorizes RRC to use drones for oil and gas, pipeline, and surface mining inspection purposes. Under this proposal, oil and gas inspectors would be authorized to use drones to inspect oil and gas sites and facilities, including wells, tanks, and disposal and injection sites, for compliance with agency rules and state law. Allowing RRC inspectors to use drones for these purposes is consistent with the authority granted by the legislature to RRC to access the oil property of all persons for inspection and examination at all times. Further, authorizing RRC's surface mining and pipeline inspectors' use of drones provides clear authority, in addition to what is currently authorized by state and federal law, provides these program areas with clear, explicit authority to use drones for pipeline safety and surface mining inspection purposes.

#### Benefit of Proposal:

Allowing RRC inspectors to use drones for broad inspection purposes offers three advantages to the agency. First, the use of drones improves RRC's ability to protect public health and safety and the environment by leveraging technology to enhance the agency's existing inspection process. Second, drones enable inspectors' access to remote sites, including those that may be present with hazardous conditions, such as hydrogen sulfide. Lastly, during the COVID-19 outbreak, RRC received requests from operators to minimize in-person contact on inspection sites.

H.B. 2957 amends current law relating to inspections and examinations by the Railroad Commission of Texas of certain sites and facilities conducted using unmanned aircraft.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

**SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 423.002(a), Government Code, as follows:

(a) Provides that it is lawful to capture an image using an unmanned aircraft in Texas if the image is captured by the Railroad Commission of Texas (RRC) or an agent, servant, or employee of RRC in connection with the inspection and examination of an oil or gas site or facility, including a well, tank, or disposal or injection site, a pipeline facility, or a surface mining site. Makes nonsubstantive changes.

SECTION 2. Amends Section 88.091, Natural Resources Code, to require RRC to have access at all times to the oil property of all persons for inspection and examination, including for inspection and examination by unmanned aircraft.

SECTION 3. Effective date: upon passage or September 1, 2021.