

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 SENATE BILL 1520

By: Quinn

4
5
6 AS INTRODUCED

7 An Act relating to liquefied petroleum gas; amending
8 52 O.S. 2011, Sections 420.2, 420.3, 420.4, as
9 amended by Section 1, Chapter 95, O.S.L. 2015 (52
10 O.S. Supp. 2017, Section 420.4), 420.6 and 420.9,
11 which relate to State Liquefied Petroleum Gas
12 Administrator, Oklahoma Liquefied Petroleum Gas
13 Board, registration permits and fees, suspension of
14 registration permits and specifications for
15 commercial propane, butane, and mixtures; modifying
16 job requirements for LPG Administrator; modifying
17 duties of Administrator; removing LPG Container Sales
18 Permit; modifying vehicles subject to annual
19 inspection requirements; removing required minimum
20 insurance coverage amount; authorizing Board to
21 decide minimum coverage amounts; increasing amount of
22 administrative penalty; modifying application of
23 Oklahoma LPG Regulation Act to transport trucks;
24 removing requirement that bulk deliveries of LPG be
metered by certain rules; and providing an effective
date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 52 O.S. 2011, Section 420.2, is
amended to read as follows:

Section 420.2. A. There is hereby created a State Liquefied
Petroleum Gas Administrator, to be appointed by the Governor from a
list of nominees submitted by the Oklahoma Liquefied Petroleum Gas

1 Board, hereinafter created. The appointment shall be subject to
2 confirmation by the Senate. The Administrator shall:

3 1. Receive a salary to be established by the Oklahoma Liquefied
4 Petroleum Gas Board;

5 2. Act in no other official or quasi-official capacity except
6 as herein provided; and

7 3. Serve at the pleasure of the Governor.

8 B. The Administrator, subject to approval of the Board, shall
9 appoint and fix the duties and compensation of employees necessary
10 to perform the duties imposed upon the Oklahoma Liquefied Petroleum
11 Gas Board by law.

12 C. 1. Persons appointed to the positions of Administrator,
13 chief deputy administrator, deputy administrator or safety code
14 enforcement officer shall:

15 a. be citizens of the United States,

16 b. be legal residents of this state,

17 c. be physically, mentally and morally capable of
18 performing the duties imposed upon them pursuant to
19 the Oklahoma Liquefied Petroleum Gas Regulation Act,

20 d. not have been convicted of a felony in this state or
21 any other state as established by a national criminal
22 history record check as defined in Section 150.9 of
23 Title 74 of the Oklahoma Statutes, and

24

1 e. after the date of their appointment, not be engaged in
2 any business in this state related to the production,
3 manufacture, distribution, sale, installation or
4 transportation of any of the products or equipment
5 covered by the Oklahoma Liquefied Petroleum Gas
6 Regulation Act.

7 2. Each appointee shall, by education, training and experience,
8 be qualified and competent to perform the duties imposed upon them
9 pursuant to the Oklahoma Liquefied Petroleum Gas Regulation Act,
10 which for:

- 11 a. the Administrator shall include at least two (2)
12 years' experience in positions of ~~responsibility in or~~
13 ~~connected with the liquefied petroleum gas industry~~
14 managerial responsibility or two (2) years' experience
15 as an LPG safety code enforcement officer,
- 16 b. the chief deputy administrator and deputy
17 administrators shall include at least one and one-half
18 (1 1/2) years of such experience, and
- 19 c. the safety code enforcement officers shall include at
20 least two (2) years' experience in actual physical
21 installation or inspection of liquefied petroleum gas
22 systems, containers, apparatus or appliances, or
23 installations thereof, and/or the ability to enforce
24 the rules and regulations.

1 3. Before entering upon their duties, appointees shall take the
2 constitutional oath of office.

3 D. In the event of a vacancy in the office of Administrator, or
4 in the event of the absence or disability of the Administrator, the
5 chief deputy administrator is hereby empowered and authorized to
6 perform the duties of the Administrator during the time of such
7 vacancy, absence or disability.

8 SECTION 2. AMENDATORY 52 O.S. 2011, Section 420.3, is
9 amended to read as follows:

10 Section 420.3. A. There is hereby re-created the Oklahoma
11 Liquefied Petroleum Gas Board, hereinafter sometimes referred to as
12 "LP-Gas Board" or "Board". The Board shall be composed of seven (7)
13 members, one each from the southeastern, northeastern, northwestern
14 and southwestern quarters of the state, one from central Oklahoma,
15 and two from the state at large. Each such appointment shall be
16 made by the Governor, from a list of three or more nominees who have
17 certified in writing their willingness to serve, to be submitted to
18 him by the persons, firms or corporations required to be registered
19 pursuant to the provisions of Sections 420.1 through 420.15 of this
20 title, or by their representatives, and shall be subject to
21 confirmation by the Senate.

22 B. No person shall be appointed as a member of the Board unless
23 at the time of his appointment he or she has been a legal resident
24 of the State of Oklahoma for at least five (5) years next preceding

1 the date of his or her appointment and, except for the two members
2 at large, shall have actively engaged in the retail distribution of
3 liquefied petroleum gas in Oklahoma for a period of one (1) year, or
4 more. One of the members at large shall be engaged in and
5 representative of the container and appliance phases of the LPG
6 business in Oklahoma, and the other shall have a general familiarity
7 with the regulatory problems of the industry and the consuming
8 public. Provided, however, that the appointment of such public
9 member shall not be subject to the aforementioned list which is
10 required to be submitted to the Governor. Members shall be eligible
11 for reappointment for successive terms, and shall be removable for
12 cause by the Governor. A member shall automatically be disqualified
13 to hold such office in event he or she ceases to be a legal resident
14 of the State of Oklahoma or ceases to be actively engaged in the
15 liquefied petroleum gas business in Oklahoma.

16 C. Re-creation shall not alter existing membership or terms of
17 office. Members shall serve until their successors in office are
18 duly appointed and qualified. Initial appointments of those members
19 of the Board from the designated geographical areas of the state
20 shall be for terms ranging from one (1) to five (5) years, the
21 Governor to designate same, and the initial terms of office of the
22 members at large on said Board shall be for one (1) and two (2)
23 years, respectively, as designated by the Governor. Thereafter, the
24 terms of all members shall be for four (4) years. In the event of

1 the death, resignation, disqualification or incapacity of one or
2 more members of said Board, a recess appointment for the unexpired
3 term of each such member may be made by the Governor as hereinabove
4 provided. Members of the Board shall be entitled to be reimbursed
5 for necessary travel expenses as provided in the State Travel
6 Reimbursement Act.

7 D. The Board shall organize by electing one of its members as
8 chairman and one member as vice-chairman. The Board shall hold
9 regular meetings. The date, time and place of any regular meeting
10 shall be as designated by vote of the majority of the membership.
11 Four members of said Board shall constitute a quorum for all
12 purposes. The chairman or vice-chairman may, upon approval of a
13 majority of the members present and voting at any meeting, designate
14 the time, place and date of any scheduled special meeting, and the
15 chairman or vice-chairman shall have the power to call an
16 unscheduled special meeting of the Board upon not less than five (5)
17 days' notice in writing to each member thereof.

18 E. The standards for the storage and handling of liquefied
19 petroleum gases adopted by the National Fire Protection Association
20 and published in Pamphlet No. 58 including current and subsequent
21 editions and any subsequent changes and/or additions to the
22 pamphlet, and the standards for the installation of gas appliances
23 and gas piping adopted by the National Fire Protection Association
24 and published in Pamphlet No. 54 including the current and any

1 subsequent editions and any subsequent changes and/or additions to
2 the pamphlet shall be the accepted standards for this state. The
3 said Board is hereby empowered and authorized, and it shall be its
4 duty to prescribe, adopt and promulgate, in the manner set forth in
5 Section 420.1 et seq. of this title, rules relating to safety in the
6 storage, distribution, dispensing, transporting and utilization of
7 LPG in this state and in the manufacture, fabrication, assembly,
8 sale, installation or use in this state of LPG systems, containers,
9 apparatus or appliances, and reasonable rules governing the issuance
10 of such permits and operations thereunder, and not inconsistent with
11 this act, as it shall deem just and reasonable, and to revoke, amend
12 or supersede such supplementary rules.

13 F. The Administrator shall administer and enforce all rules
14 formulated and adopted by the Board and administer and enforce the
15 safety rules prescribed, adopted or promulgated by said Board under
16 and by virtue of the provisions of this act, and incur all necessary
17 expenditures in effectuating the purposes of this subsection. The
18 Administrator shall serve as secretary to said Board, and shall be
19 subject to confirmation by the Senate.

20 G. Before any rules are revised, amended, adopted or
21 promulgated hereunder, the Administrator, acting on behalf of said
22 Board, shall give ten (10) days' notice to all Class I and Class II
23 permit holders under the act, by mailing to the permit holders a
24 written notice, signed by the Administrator, on behalf of the Board,

1 containing either a statement of the terms or substance of the
2 intended action, a description of the subjects and issues involved,
3 or an accurate copy of the new, revised or amended rules which the
4 Board proposes to adopt and promulgate, stating the date, time and
5 place of a public hearing at which oral or written objections to
6 such proposals shall be heard and considered. Notice shall also be
7 given as required by the Administrative Procedures Act. Nothing in
8 this subsection shall prevent the furnishing of such other or
9 additional notice as the Board shall direct.

10 H. At any hearing held under this section, not less than a
11 quorum of said Board shall be present and shall preside; provided,
12 however, that by unanimous vote and resolution the Board may
13 authorize the Administrator to preside at any or all such hearings,
14 and in such event no Board member need be present. After any such
15 hearing the Board may, by majority vote, adopt any proposed new,
16 revised or amended rules with such amendments and modifications
17 thereof as the said Board shall deem just and reasonable, and a
18 certificate reciting such adoption and the effective date thereof
19 shall be signed by the members comprising said majority of said
20 Board. ~~The Administrator shall thereafter, within ten (10) days,~~
21 ~~cause such rules so adopted to be mailed to each Class I and Class~~
22 ~~II permit holder under this act.~~

23

24

1 SECTION 3. AMENDATORY 52 O.S. 2011, Section 420.4, as
2 amended by Section 1, Chapter 95, O.S.L. 2015 (52 O.S. Supp. 2017,
3 Section 420.4), is amended to read as follows:

4 Section 420.4. A. No person, firm, or corporation shall
5 manufacture, fabricate, assemble, or install in this state any
6 system, container, apparatus, or appliance used or to be used in
7 this state in or for the transportation, storage, dispensing, or
8 utilization of LPG, nor shall any transporter, distributor, or
9 retailer of LPG store, dispense or transport over the highways of
10 this state any LPG intended for use in this state in any such
11 system, container, apparatus, or appliance, without having first
12 applied for and obtained a registration permit to do so. A permit
13 shall not be required by any person, firm, or corporation engaged in
14 the production or manufacture of LPG, or selling or reselling LPG to
15 transporters, processors, distributors, or retailers, nor by any
16 person, firm, or corporation selling or delivering motor vehicles or
17 tractors which are factory equipped with an LPG system, container,
18 apparatus, or appliance for the utilization of LPG as motor fuel.
19 The provisions of this section shall not prevent an individual from
20 installing in his own single-unit residence any system, container,
21 apparatus, or appliance which uses or will utilize LPG, provided
22 that such individual has secured an inspection of such installation
23 by the Administrator or someone designated by the Administrator or
24 by a person duly licensed to make such an installation prior to the

1 use of said system, container, apparatus or appliance. Applications
2 for registration permits shall be in writing, on a form provided by
3 the Board, and shall contain such pertinent information as is
4 required by the Board. Upon approval of each said application and
5 receipt of the certificates of insurance or securities required by
6 the provisions of this section, the Administrator shall issue to the
7 applicant a permit to engage in the phase of the liquefied petroleum
8 gas industry in this state to which such permit applies. No permit
9 other than the Class I Dealer Permit shall be transferable. The
10 Board is authorized to establish a fee for the transfer of a Class I
11 Permit. Nothing in Sections 420.1 through 420.15 of this title
12 shall be construed to regulate the manufacturing, fabrication,
13 assembling, selling, or installing of any system, container,
14 apparatus, or appliance having a fuel container with a maximum
15 individual water capacity of less than two and one-half (2 1/2)
16 pounds.

17 B. 1. The Board is authorized to establish an annual permit
18 fee for the issuance of each class of permit listed in subsection C
19 of this section.

20 2. All such registration permits shall expire annually with no
21 permit extending longer than one (1) calendar year. The expiration
22 dates shall be set by the Board in the rules. The Administrator may
23 issue a semiannual permit to applicants engaging in the business
24 within six (6) months or less of the annual renewal date. A

1 semiannual permit shall expire on the following annual expiration
2 date. The fee for a semiannual permit shall be one-half (1/2) that
3 of the fee of the annual permit. All registration permits required
4 pursuant to the provisions of this section shall be renewed upon
5 payment of the annual fees on or before the expiration of the
6 registration permit, and upon fulfilling all insurance requirements.
7 The Board is authorized to establish necessary penalty provisions
8 required to ensure prompt payment of said annual fees.

9 3. The Board is authorized to establish specifications which
10 set forth the scope of authority for each class of permits.

11 4. The Board is authorized to establish an initial permit fee
12 for the issuance of Class I and Class II permits to any person, firm
13 or corporation for the first time.

14 C. Persons, firms, and corporations required to be registered
15 pursuant to the provisions of Sections 420.1 through 420.15 of this
16 title, at the time of issuance of each permit, shall pay to the
17 Administrator the initial permit fee if applicable and any annual
18 fee that is applicable to the following permit classes:

- 19 1. Class I - Dealer Permit;
- 20 2. Class II - Truck Transporter Permit;
- 21 3. Class III - DOT Cylinder Transporter Permit;
- 22 4. Class IV - Installer Permit;
- 23 5. Class IV-D - Driver/Installer Permit;

24

1 6. Class VI - DOT Cylinder and/or LPG Motor Fuel Station

2 ~~Operator;~~

3 7. Class VI-A - LPG Dispensing Permit;

4 8. Class VII - Cylinder Exchange Program Permit;

5 9. Class IX - ~~LPG Container Sales Permit~~ Reserved;

6 10. Class IX-A - Manufactured Homes and Recreation Sales

7 Permit; and

8 11. Class X - Manager's Permit.

9 D. 1. Each person, firm, or corporation holding a permit
10 authorizing the use of an LPG ~~bulk delivery truck or trailer cargo~~
11 tank motor vehicle, bobtail delivery truck, cylinder delivery
12 vehicle or trailer shall pay at the time of inspection an annual
13 inspection fee in an amount as established by the Board for each
14 said delivery truck or trailer belonging to said person, firm, or
15 corporation. Each person, firm, or corporation who does not hold a
16 permit issued by the Board authorizing the use of an LPG ~~bulk~~
17 ~~delivery truck or trailer cargo~~ tank motor vehicle, bobtail delivery
18 truck, cylinder delivery vehicle or trailer in the state shall pay
19 an annual inspection fee in an amount as established by the Board
20 for each such truck or trailer belonging to said person, firm, or
21 corporation being used to dispense or transport LPG in the state.

22 2. The inspection fee shall increase to an amount established
23 by the Board per vehicle if said inspection is not completed within
24

1 sixty (60) days of the expiration date, or at a later date at the
2 discretion of the Administrator.

3 E. Any LPG bulk ~~delivery truck or trailer~~ cargo tank motor,
4 bobtail delivery truck, cylinder delivery vehicle or trailer failing
5 to be approved at its annual inspection shall be assessed a fee in
6 an amount as established by the Board at the time that it is
7 reinspected.

8 F. The fees provided for in this section shall be applicable to
9 residents and nonresidents of Oklahoma.

10 G. The Board is authorized to approve or disapprove
11 applications for registration permits to distributors and retailers
12 of LPG and managers of LPG establishments. The Administrator is
13 authorized to approve or disapprove all other applications for
14 registration permits that may be issued pursuant to the provisions
15 of this section.

16 1. No application shall be approved by the Administrator unless
17 the Administrator is satisfied that the applicant by written
18 examination has shown a working knowledge of the safety requirements
19 provided by the rules of the Board.

20 2. No application shall be approved by the Board unless the
21 Board is satisfied by adequate written examination of the applicant,
22 or the individual who is or shall be directly responsible for
23 actively supervising the operations of such applicant which is a
24 partnership, firm, or corporation, that the applicant or such

1 individual has a working knowledge of the safety requirements
2 provided by the rules of the Board. The Board shall cause to be
3 held public hearings on the second Monday in the months of January,
4 April, July, and October of each year on all applications for new
5 registration permits required by the provisions of this section, or
6 upon such other occasions as the Board may deem necessary. Notice
7 of each hearing shall be mailed to each such applicant and shall be
8 posted in a conspicuous place in the Office of the Administrator in
9 Oklahoma City, Oklahoma, at least thirty (30) days prior to the date
10 of such hearing. Said notice shall include the name, address,
11 permit class, and business location of each applicant whose
12 application is to be considered at the hearing. Such applicant, or
13 the individual who is or shall be directly responsible for and
14 actively supervising the operations of such applicant, may be
15 present at such hearing. If, after the public hearing, an applicant
16 is found by the Board to have a working knowledge of the safety
17 requirements provided by the rules and regulations of the Board, the
18 Board shall cause an order to that effect to be entered upon its
19 records and the application shall be approved. In the event an
20 applicant fails to qualify, said fact shall be entered upon the
21 Board's records.

22 3. The Board shall charge a fee, in an amount established by
23 the Board, for testing materials and the expense of holding the
24

1 examinations provided for in this section. Said fee shall be paid
2 upon filing an application for any permit.

3 H. A registration permit shall not be issued to any applicant
4 unless the Administrator has received certificates of insurance or
5 security as required by this section.

6 I. Except as otherwise provided for in this section, all
7 persons, firms, or corporations engaged in the business of
8 manufacturing, fabricating, assembling, or installing any LPG
9 system, container, apparatus, or appliance in this state, and
10 required to be registered pursuant to the provisions of Sections
11 420.1 through 420.15 of this title, shall file with the
12 Administrator a certificate indicating liability insurance coverage
13 for the manufacturer and contractor. The Board is authorized to
14 establish minimum coverage amounts for each class of permit,
15 provided coverage ~~shall be for an amount of not less than Twenty-~~
16 ~~five Thousand Dollars (\$25,000.00) to Fifty Thousand Dollars~~
17 ~~(\$50,000.00) for bodily injury and limits of not less than Twenty-~~
18 ~~five Thousand Dollars (\$25,000.00) for property damage, and shall be~~
19 in full force and effect, covering the plant, equipment, and motor
20 vehicles used in such business, and the operations of the business.

21 J. Except as otherwise provided for in this section, all
22 transporters, distributors, or retailers of LPG in this state,
23 required to be registered pursuant to Sections 420.1 through 420.15
24 of this title, shall file with the Administrator a certificate

1 indicating that public liability and property damage insurance
2 coverage has been issued. The Board is authorized to establish
3 coverage amounts for each class of permit, provided coverage shall
4 be for an amount of not less than Twenty-five Thousand Dollars
5 (\$25,000.00) to Fifty Thousand Dollars (\$50,000.00) for bodily
6 injury and limits of not less than Twenty-five Thousand Dollars
7 (\$25,000.00) for property damage has been issued, and is in full
8 force and effect, covering the plant, equipment, and motor vehicles
9 used in such business, and the operations of said business.

10 K. Insurance pursuant to the provisions of this section shall
11 be maintained in full force and effect during the operation of the
12 business for which the coverage was issued. Except as otherwise
13 provided for in this section, no registration permit shall be issued
14 until said certificate is filed with the Administrator. No
15 insurance coverage shall be canceled or terminated without thirty
16 (30) days prior written notice of cancellation or termination to the
17 Administrator.

18 L. The Board is authorized, upon proof of or a satisfactory
19 showing that any person, firm, or corporation is financially able to
20 pay or satisfy any judgment, claim, or demand against such person,
21 firm, or corporation, to waive the insurance coverage required by
22 this section. The Board, in lieu of said certificate, may require
23 the deposit, with the Administrator, of securities, or satisfactory
24 indemnity bond, in an amount and of a kind designated by the Board,

1 to secure the liability of such person, firm, or corporation to pay
2 any judgment, claim, or demand. Such security shall not be in
3 excess of the limits set forth in this section. If the Board deems
4 the financial status of such person, firm, or corporation to be
5 impaired so as to reduce the ability of such person, firm, or
6 corporation to make payment or to satisfy any judgment, claim, or
7 demand, the Board may revoke such waiver and require such person,
8 firm, or corporation to file certificates required by this section
9 within thirty (30) days after written notice is sent by the Board to
10 such person, firm, or corporation.

11 SECTION 4. AMENDATORY 52 O.S. 2011, Section 420.6, is
12 amended to read as follows:

13 Section 420.6. A. The State Liquefied Petroleum Gas
14 Administrator is authorized to suspend or revoke any registration
15 permit issued by the Oklahoma Liquefied Petroleum Gas Board or
16 impose an administrative penalty, if it is found at a hearing on the
17 matter, that the registrant has violated or is violating or has
18 failed or is failing to comply with any provisions of the Oklahoma
19 Liquefied Petroleum Gas Regulation Act, any rules or specifications
20 promulgated or any order issued thereto, or has delivered a lesser
21 quantity of gas than the registrant bills the customer for with
22 intent to defraud.

23 B. 1. Upon the motion of the Administrator, or upon the
24 receipt of written complaint from any member of the Board, or from

1 any deputy administrator or safety code enforcement officer, that a
2 registrant has violated or is violating or has failed or is failing
3 to comply with any of the provisions of the Oklahoma Liquefied
4 Petroleum Gas Regulation Act, the rules, or specifications
5 promulgated or any order issued thereto, the Administrator is
6 authorized and it shall be the duty of the Administrator to hold an
7 administrative hearing pursuant to Article II of the Administrative
8 Procedures Act to consider such complaint.

9 2. The Administrator shall have the power to conduct
10 investigations; to summon and compel the attendance at such hearing
11 of witnesses; to require the production of any records or documents
12 pertinent to the subject matter of any investigation or hearing; and
13 to provide for the taking of depositions of witnesses.

14 3. Notice of the date, time and place of any such hearing shall
15 be given by registered mail not less than ten (10) days, exclusive
16 of the date of mailing, before the date thereof, addressed to the
17 registrant complained against and to any other parties involved,
18 each of whom shall have the right to file answer, to appear and be
19 heard in person and by counsel, and to present evidence at such
20 hearing.

21 C. If the Administrator finds at the hearing that the
22 registrant has violated or is violating or has failed or is failing
23 to comply with any provision of the Oklahoma Liquefied Petroleum Gas
24 Regulation Act or such rules, specifications or any order issued

1 thereto, the Administrator, if the findings justify such action,
2 shall issue an order suspending the registrant's registration permit
3 for a period not to exceed ninety (90) days, revoking the
4 registration permit, or imposing an administrative penalty of not
5 more than ~~Five Hundred Dollars (\$500.00)~~ One Thousand Dollars
6 (\$1,000.00) for each separate offense. Any administrative penalty
7 imposed pursuant to this section shall be deposited into the
8 Liquefied Petroleum Gas Fund, created pursuant to Section 420.11 of
9 this title.

10 D. 1. The Administrator's findings, judgment and order shall
11 be reduced to writing and be recorded in a permanent public record
12 to be retained in the office of the Administrator. Copies shall be
13 furnished to the registrant complained against and to the Board.

14 2. Any registrant who has been assessed an administrative
15 penalty or whose registration permit is suspended or revoked by the
16 Administrator may, pursuant to Section 317 of Title 75 of the
17 Oklahoma Statutes, file for a rehearing, reopening or
18 reconsideration by the Board. The registrant shall be given the
19 opportunity to request a de novo hearing by the Board. Such
20 decision by the Board shall constitute final action by the Board.

21 3. Any registrant who has been assessed an administrative
22 penalty or whose registration permit has been suspended or revoked
23 upon review by the Board may, within thirty (30) days after such
24 filing, suspension or revocation, file an appeal with the district

1 court of Oklahoma County or in the county wherein the registrant
2 resides or has its principal place of business in this state,
3 pursuant to Article II of the Administrative Procedures Act.

4 E. 1. Except for an emergency as determined by the Board upon
5 the filing of a request for a rehearing, reopening or
6 reconsideration or as determined by the court upon an appeal for
7 judicial review of the order, enforcement of the Administrator's
8 order shall be stayed pending final disposition of such rehearing or
9 appeal.

10 2. Upon affirmance, the order shall become final and conclusive
11 and the stay of enforcement shall be vacated.

12 F. The Board shall promulgate reasonable rules governing the
13 sale or transfer of business, facilities or a permit connected with
14 or to be used in operations subject to regulation pursuant to the
15 Oklahoma Liquefied Petroleum Gas Regulation Act.

16 SECTION 5. AMENDATORY 52 O.S. 2011, Section 420.9, is
17 amended to read as follows:

18 Section 420.9. A. All liquefied petroleum gases designated as
19 commercial propane, commercial butane, or mixtures thereof, sold for
20 consumption in this state, shall, when subjected to the test methods
21 of the Gas Processors Association of America, meet applicable
22 specifications adopted as tentative standards by said Association
23 for the particular product sold.

24

1 B. All vehicles used in hauling or transporting liquefied
2 petroleum gases upon the highways of this state shall be identified
3 in such manner as the Administrator may, by rule, prescribe.

4 C. The Department of Public Safety of the State of Oklahoma
5 shall cooperate with the Administrator in the enforcement of the
6 provisions of this section, and the rules promulgated thereunder.

7 D. Transport trucks transporting liquefied petroleum gases
8 intrastate which are owned or operated by a person subject to and
9 licensed by the Oklahoma Liquefied Petroleum Gas Regulation Act
10 shall not be required to obtain or possess an intrastate motor
11 carrier or private carrier license issued by the Oklahoma
12 Corporation Commission.

13 ~~E. Transport trucks transporting liquefied petroleum gases out~~
14 ~~of the state, but not required to bear Oklahoma license, shall not~~
15 ~~be subject to the permit fees prescribed by the Oklahoma Liquefied~~
16 ~~Petroleum Gas Regulation Act, but shall be subject to all of the~~
17 ~~other requirements of the Oklahoma Liquefied Petroleum Gas~~
18 ~~Regulation Act and any safety rule or specification promulgated~~
19 ~~thereunder.~~

20 ~~F. Bulk deliveries of liquefied petroleum gases at retail shall~~
21 ~~be metered in accordance with rules promulgated by the LP Gas Board.~~

22 G. Containers shall be filled or used only upon authorization
23 of the fee simple owner. The name of the fee simple owner, if other
24 than the consumer, shall be conspicuously shown on the container.

1 ~~H.~~ F. At least one attendant shall remain close to the transfer
2 connection from the time the connections are first made until they
3 are finally disconnected, during the transfer of the product.
4 During the actual transfer of liquids into containers at domestic
5 type dwellings and installations, the attendant shall not enter into
6 any type of enclosure including but not limited to truck cabs,
7 dwellings, and barns and shall maintain visual contact with the
8 liquid level gauge at all times.

9 SECTION 6. This act shall become effective November 1, 2018.

10

11 56-2-2565 CB 1/18/2018 7:56:03 PM

12

13

14

15

16

17

18

19

20

21

22

23

24