

2020 -- S 2510

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LC004893  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

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A N A C T

RELATING TO LABOR AND LABOR RELATIONS -- MECHANICAL TRADES --  
PURCHASE AND SALE RESTRICTION OF REFRIGERANT

Introduced By: Senators Ciccone, Lombardi, Lombardo, Archambault, and Rogers

Date Introduced: February 25, 2020

Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 28-27 of the General Laws entitled "Mechanical Trades" is hereby  
2 amended by adding thereto the following section:

3 **28-27-6.3. Purchase and sale restriction of refrigerant.**

4 (a) No person may sell, distribute, offer for sale or purchase any ozone depleting substance  
5 listed in the EPA Clean Air Act Rule 40 C.F.R §82 Subpart A, Appendices A and B unless that  
6 person presents a certificate proving that they are in compliance with the certification requirements  
7 established in 40 C.F.R. §§ 82.150 – 161.

8 (b) The director of the department of labor and training shall have the responsibility to  
9 enforce the provisions of this section.

10 (c) Any violation of this section shall result in a fine of not more than five hundred dollars  
11 (\$500) for a first violation and not more than one thousand dollars (\$1,000) for any subsequent  
12 violation within one year of the first violation.

13 (d) In determining the amount of any penalty imposed pursuant to subsection (c) of this  
14 section, the director or designee shall consider:

15 (1) The size of the employer's business;

16 (2) The good faith of the employer;

17 (3) The gravity of the violation;

18 (4) The history of previous violations; and

1 [\(5\) Whether or not the violation was an innocent mistake or willful.](#)

2 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO LABOR AND LABOR RELATIONS -- MECHANICAL TRADES --  
PURCHASE AND SALE RESTRICTION OF REFRIGERANT

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1           This act would prevent the sale, distribution and purchase of certain ozone depleting  
2 substances specified in the EPA Clean Air Act and would provide for penalties and exemptions to  
3 the act.

4           This act would take effect upon passage.

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