

SECOND REGULAR SESSION

SENATE BILL NO. 835

89TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR JOHNSON.

Read 1st time January 27, 1998, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

S3302.011

AN ACT

To repeal sections 323.020 and 323.060, RSMo 1994, relating to liquefied petroleum gases, and to enact in lieu thereof two new sections relating to the same subject.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 323.020 and 323.060, RSMo 1994, are repealed and two new sections enacted in lieu thereof, to be known as sections 323.020 and 323.060, to read as follows:

323.020. 1. The director of the department of agriculture shall make, promulgate and enforce regulations setting forth minimum general standards covering the design, construction, location, installation and operation of equipment for storing, handling, transporting by tank truck, tank trailer, and utilizing liquefied petroleum gases and specifying the odorization of such gases and the degree thereof. The regulations shall be such as are reasonably necessary for the protection of the health, welfare and safety of the public and persons using such materials, and shall be in substantial conformity with the generally accepted standards of safety concerning the same subject matter. Such regulations shall be adopted by the director of the department of agriculture pursuant to chapter 536, RSMo.

2. **Except as specifically provided in subsection 1 of section 323.060**, regulations in substantial conformity with the published standards of the National Board of Fire Underwriters for the design, installation and construction of containers and pertinent equipment for the storage and handling of liquefied petroleum gases as recommended by the National Fire Protection Association shall be deemed to be in substantial conformity with the generally accepted standards of safety concerning the same subject matter.

323.060. 1. No person shall engage in this state in the business of selling at retail of liquefied petroleum gas, or in the business of handling or transportation of liquefied petroleum gas over the highways of this state or in the business of installing or servicing equipment and

appliances for use with liquefied petroleum gas without having first registered with the director of the department of agriculture. **No person shall engage in this state in the business of selling at retail of liquefied petroleum gas unless such person owns and operates one or more storage tanks located in the state of Missouri including a main storage tank with a capacity of at least eighteen thousand gallons.**

2. Nonresidents of the state of Missouri desiring to engage in the business of distribution of liquefied petroleum gases at retail, or the business of installing, repairing or servicing equipment and appliances for use of liquefied petroleum gases shall comply with sections 323.010 to 323.110 and rules and regulations promulgated thereunder.

3. All utility operations of public utility companies subject to the safety jurisdiction of the public service commission are exempt from the provisions of this section.

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