

SENATE BILL REPORT

SB 5658

As Reported By Senate Committee On:
Water, Energy & Environment, February 22, 2005

Title: An act relating to regulating liquified petroleum gas.

Brief Description: Regulating liquified petroleum gas.

Sponsors: Senators Haugen and Honeyford.

Brief History:

Committee Activity: Water, Energy & Environment: 2/15/05, 2/22/05 [DPS].

SENATE COMMITTEE ON WATER, ENERGY & ENVIRONMENT

Majority Report: That Substitute Senate Bill No. 5658 be substituted therefor, and the substitute bill do pass.

Signed by Senators Poulsen, Chair; Rockefeller, Vice Chair; Morton, Ranking Minority Member; Fraser, Hewitt, Honeyford, Pridemore and Regala.

Staff: William Bridges (786-7424)

Background: Liquefied Petroleum Gas (LPG) is used by businesses and homeowners for a variety of applications. It is commonly stored in non-portable tanks on the purchaser's property. These tanks are usually owned by the LPG marketer and are often labeled to show their ownership. The tanks are generally leased to the purchaser of the gas and require the tank to be filled by the LPG marketer who owns the tank.

According to the Northwest Propane Gas Association, competitors will sometimes fill, without permission, the tanks of other marketers. In addition, these competitors will sometimes destroy or cover the ownership labels on tanks they do not own.

Summary of Substitute Bill: Only the owner of an LPG container, or a person authorized in writing by the owner, may: (1) fill or refill an LPG container with LPG or any other gas or compound; or (2) deface, erase, obliterate, cover up, or otherwise remove or conceal any name, mark, initial, or device on an LPG container. A container is a vessel, such as tank, with a water capacity equal to or greater than 239 pounds of water capacity that is used for transporting or storing LPG.

This provision does not apply to cylinders. A cylinder is defined as a portable container that has less than 239 pounds of water capacity and that is capable of storing LPG.

A violation of these provisions is a class 1 civil infraction.

Substitute Bill Compared to Original Bill: A definition of "container" is added. The definition of "gas appliance" is removed. The penalty is clarified to be a class 1 civil infraction.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill is not new to the Senate; it passed out of the Senate last year without a dissenting vote. The bill is necessary for public safety because tank owners have the best information about the condition of their tanks, and they have a vested interest in taking care of their tanks. LPG marketers spend a great deal of time and effort building up their businesses, and this bill will prevent unscrupulous persons from stealing the fruits of their labor. The bill only applies to large, stationary cylinders. Similar laws have been adopted in 32 states.

Testimony Against: None.

Who Testified: PRO: Mel Sorensen, NW Propane Gas Assn; Gene Wendt, NW Propane Gas Assn.