

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1157

By: Cornwell

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6 AS INTRODUCED

7 An Act relating to liquified petroleum gas; amending  
8 52 O.S. 2021, Section 420.2, which relates to the  
9 State Liquefied Petroleum Gas Administrator; removing  
10 certain appointed position; amending 52 O.S. 2021,  
11 Section 420.3, which relates to the Oklahoma  
12 Liquefied Petroleum Gas Board; modifying statutory  
13 references; modifying types of meetings that can be  
14 designated; requiring meetings adhere to Open  
15 Meetings Act; authorizing the lease, purchase,  
16 maintenance and use of vehicles; authorizing the  
17 promulgation of rules; amending 52 O.S. 2021, Section  
18 420.4, as amended by Section 1, Chapter 330, O.S.L.  
19 2022 (52 O.S. Supp. 2024, Section 420.4), which  
20 relates to registration permits; modifying statutory  
21 references; modifying list of permit classes;  
22 amending 52 O.S. 2021, Section 420.5, as amended by  
23 Section 2, Chapter 330, O.S.L. 2022 (52 O.S. Supp.  
24 2024, Section 420.5), which relates to fees for  
refillable cylinders; requiring fees be used for  
certain purpose; modifying list of entities required  
to pay fee; removing language regarding refunds of  
credit fees; authorizing the Board to promulgate  
certain administrative rules; requiring flat fee for  
certain containers; defining term; authorizing  
administrator to adopt certain system; authorizing  
assessment of certain penalty; amending 52 O.S. 2021,  
Section 420.7, which relates to inspections;  
modifying reference to certain appointed position;  
requiring certain law enforcement certification for  
certain positions; amending 52 O.S. 2021, Section  
420.9, as amended by Section 3, Chapter 330, O.S.L.  
2022 (52 O.S. Supp. 2024, Section 420.9), which  
relates to specifications for commercial propane,  
butane and mixtures; removing certain requirements  
for filling, using, and identifying containers;

1           requiring certain identifying marks on containers;  
2           requiring certain authorizations; and providing an  
3           effective date.

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

7           SECTION 1.       AMENDATORY       52 O.S. 2021, Section 420.2, is  
8           amended to read as follows:

9           Section 420.2. A. There is hereby created a State Liquefied  
10          Petroleum Gas Administrator, to be appointed by the Governor from a  
11          list of nominees submitted by the Oklahoma Liquefied Petroleum Gas  
12          Board, hereinafter created. The appointment shall be subject to  
13          confirmation by the Senate. The Administrator shall:

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

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

18           3. Serve at the pleasure of the Governor.

19           B. The Administrator, subject to approval of the Board, shall  
20          appoint and fix the duties and compensation of employees necessary  
21          to perform the duties imposed upon the Oklahoma Liquefied Petroleum  
22          Gas Board by law.

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

- a. be citizens of the United States,
  - b. be legal residents of this state,
  - c. be physically, mentally and morally capable of performing the duties imposed upon them pursuant to the Oklahoma Liquefied Petroleum Gas Regulation Act,
  - d. not have been convicted of a felony in this state or any other state as established by a national criminal history record check as defined in Section 150.9 of Title 74 of the Oklahoma Statutes, and
  - e. after the date of their appointment, not be engaged in any business in this state related to the production, manufacture, distribution, sale, installation or transportation of any of the products or equipment covered by the Oklahoma Liquefied Petroleum Gas Regulation Act.

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

- a. the Administrator shall include at least two (2) years' experience in positions of managerial

responsibility or two (2) years' experience as a liquefied petroleum gas safety code enforcement officer,

- b. ~~the chief deputy administrator and deputy~~  
administrators shall include at least one and one-half  
(1 1/2) years of such experience, and
  - c. the safety code enforcement officers shall include at  
least two (2) years' experience in actual physical  
installation or inspection of liquefied petroleum gas  
systems, containers, apparatus or appliances, or  
installations thereof, and/or the ability to enforce  
the rules and regulations.

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

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

SECTION 2. AMENDATORY 52 O.S. 2021, Section 420.3, is amended to read as follows:

Section 420.3. A. There is hereby re-created the Oklahoma Liquefied Petroleum Gas Board, hereinafter sometimes referred to as "LP-Gas Board" or "Board". The Board shall be composed of seven (7)

1 members, one each from the southeastern, northeastern, northwestern  
2 and southwestern quarters of the state, one from central Oklahoma,  
3 and two from the state at large. Each appointment shall be made by  
4 the Governor, from a list of three or more nominees who have  
5 certified in writing their willingness to serve, to be submitted to  
6 him or her by the persons, firms or corporations required to be  
7 registered pursuant to the provisions of Sections 420.1 ~~through~~  
8 ~~420.15 et seq.~~ of this title, or by their representatives, and shall  
9 be subject to confirmation by the Senate.

10       B. No person shall be appointed as a member of the Board unless  
11 at the time of his or her appointment he or she has been a legal  
12 resident of the State of Oklahoma for at least five (5) years  
13 preceding the date of his or her appointment and, except for the two  
14 members at large, shall have actively engaged in the retail  
15 distribution of liquefied petroleum gas in Oklahoma for a period of  
16 one (1) year, or more. One of the members at large shall be engaged  
17 in and representative of the container and appliance phases of the  
18 LPG business in Oklahoma, and the other shall have a general  
19 familiarity with the regulatory problems of the industry and the  
20 consuming public. Provided, however, that the appointment of such  
21 public member shall not be subject to the aforementioned list which  
22 is required to be submitted to the Governor. Members shall be  
23 eligible for reappointment for successive terms, and shall be  
24 removable for cause by the Governor. A member shall automatically

1      be disqualified to hold such office in event he or she ceases to be  
2      a legal resident of the State of Oklahoma or ceases to be actively  
3      engaged in the LPG business in Oklahoma.

4            C. Re-creation shall not alter existing membership or terms of  
5      office. Members shall serve until their successors in office are  
6      duly appointed and qualified. Initial appointments of those members  
7      of the Board from the designated geographical areas of the state  
8      shall be for terms ranging from one (1) year to five (5) years, the  
9      Governor to designate same, and the initial terms of office of the  
10     members at large on the Board shall be for one (1) year and two (2)  
11     years, respectively, as designated by the Governor. Thereafter, the  
12     terms of all members shall be for four (4) years. In the event of  
13     the death, resignation, disqualification or incapacity of one or  
14     more members of the Board, a recess appointment for the unexpired  
15     term of each such member may be made by the Governor as hereinabove  
16     provided. Members of the Board shall be entitled to be reimbursed  
17     for necessary travel expenses as provided in the State Travel  
18     Reimbursement Act.

19            D. The Board shall organize by electing one of its members as  
20     ~~chairman~~ chair and one member as ~~vice-chairman~~ vice-chairperson.  
21     The Board shall hold regular meetings. The date, time and place of  
22     any regular meeting shall be as designated by vote of the majority  
23     of the membership. Four members of the Board shall constitute a  
24     quorum for all purposes. The ~~chairman~~ chair or ~~vice-chairman~~ vice-

1    chairperson may, upon approval of a majority of the members present  
2    and voting at any meeting, designate the time, place and date of any  
3    scheduled a special meeting, and the chairman chair or vice-chairman  
4    vice-chairperson shall have the power to call an unscheduled a  
5    special meeting of the Board upon not less than five (5) days'  
6    notice in writing to each member thereof as provided in the Oklahoma  
7    Open Meetings Act pursuant to Sections 301 et seq of Title 25 of the  
8    Oklahoma Statutes.

9                E. The standards for the storage and handling of liquefied  
10   petroleum gases adopted by the National Fire Protection Association  
11   and published in Pamphlet No. 58 including current and subsequent  
12   editions and any subsequent changes and/or additions to the  
13   pamphlet, and the standards for the installation of gas appliances  
14   and gas piping adopted by the National Fire Protection Association  
15   and published in Pamphlet No. 54 including the current and any  
16   subsequent editions and any subsequent changes and/or additions to  
17   the pamphlet shall be the accepted standards for this state. The  
18   Board is hereby empowered and authorized, and it shall be its duty  
19   to prescribe, adopt and promulgate, in the manner set forth in  
20   Section 420.1 et seq. of this title, rules relating to safety in the  
21   storage, distribution, dispensing, transporting and utilization of  
22   LPG in this state and in the manufacture, fabrication, assembly,  
23   sale, installation or use in this state of LPG systems, containers,  
24   apparatus or appliances, and reasonable rules governing the issuance

1 of such permits and operations thereunder, and not inconsistent with  
2 the Oklahoma Liquefied Petroleum Gas Regulation Act, as it shall  
3 deem just and reasonable, and to revoke, amend or supersede such  
4 supplementary rules.

5 F. The Administrator shall administer and enforce all rules  
6 formulated and adopted by the Board and administer and enforce the  
7 safety rules prescribed, adopted or promulgated by the Board under  
8 and by virtue of the provisions of the Oklahoma Liquefied Petroleum  
9 Gas Regulation Act, and incur all necessary expenditures in  
10 effectuating the purposes of this subsection. The Administrator  
11 shall serve as secretary to the Board, and shall be subject to  
12 confirmation by the Senate.

13 G. Before any rules are revised, amended, adopted or  
14 promulgated hereunder, the Administrator, acting on behalf of the  
15 Board, shall give ten (10) days' notice to all Class I and Class II  
16 permit holders under the Oklahoma Liquefied Petroleum Gas Regulation  
17 Act, by mailing to the permit holders a written notice, signed by  
18 the Administrator, on behalf of the Board, containing either a  
19 statement of the terms or substance of the intended action, a  
20 description of the subjects and issues involved, or an accurate copy  
21 of the new, revised or amended rules which the Board proposes to  
22 adopt and promulgate, stating the date, time and place of a public  
23 hearing at which oral or written objections to such proposals shall  
24 be heard and considered. Notice shall also be given as required by

1      the Administrative Procedures Act. Nothing in this subsection shall  
2      prevent the furnishing of such other or additional notice as the  
3      Board shall direct.

4            H. At any hearing held under this section, not less than a  
5      quorum of the Board shall be present and shall preside; provided,  
6      however, that by unanimous vote and resolution, the Board may  
7      authorize the Administrator to preside at any or all such hearings,  
8      and in such event no Board member need be present. After any such  
9      hearing the Board may, by majority vote, adopt any proposed new,  
10     revised or amended rules with such amendments and modifications  
11     thereof as the ~~the~~ Board shall deem just and reasonable, and a  
12     certificate reciting such adoption and the effective date thereof  
13     shall be signed by the members comprising the majority of the Board.

14            I. The Administration may lease, purchase, and maintain motor  
15     vehicles for use by the employees of the Administration. The  
16     Administrator may prescribe rules on the use of Administration-owned  
17     vehicles as deemed necessary for employees of the Administration to  
18     perform their duties.

19            SECTION 3.        AMENDATORY        52 O.S. 2021, Section 420.4, as  
20     amended by Section 1, Chapter 330, O.S.L. 2022 (52 O.S. Supp. 2024,  
21     Section 420.4), is amended to read as follows:

22            Section 420.4. A. No person, firm or corporation shall  
23     manufacture, fabricate, assemble or install in this state any  
24     system, container, apparatus or appliance used or to be used in this

1 state in or for the transportation, storage, dispensing or  
2 utilization of LPG, nor shall any transporter, distributor or  
3 retailer of LPG store, dispense or transport over the highways of  
4 this state any LPG intended for use in this state in any such  
5 system, container, apparatus or appliance, without having first  
6 applied for and obtained a registration permit to do so. A permit  
7 shall not be required by any person, firm or corporation engaged in  
8 the production or manufacture of LPG, or selling or reselling LPG to  
9 transporters, gas processors, distributors or retailers, nor by any  
10 person, firm or corporation selling or delivering motor vehicles or  
11 tractors which are factory equipped with an LPG system, container,  
12 apparatus or appliance for the utilization of LPG as motor fuel.  
13 The provisions of this section shall not prevent an individual from  
14 installing in his or her own single-unit residence any system,  
15 container, apparatus or appliance which uses or will utilize LPG,  
16 provided that such individual has secured an inspection of the  
17 installation by the Administrator or someone designated by the  
18 Administrator or by a person duly licensed to make such an  
19 installation prior to the use of the system, container, apparatus or  
20 appliance. Applications for registration permits shall be in  
21 writing, on a form provided by the Board, and shall contain such  
22 pertinent information as is required by the Board. Upon approval of  
23 each application and receipt of the certificates of insurance or  
24 securities required by the provisions of this section, the

1      Administrator shall issue to the applicant a permit to engage in the  
2      phase of the LPG industry in this state to which such permit  
3      applies. No permit other than the Class I Dealer Permit shall be  
4      transferable. The Board is authorized to establish a fee for the  
5      transfer of a Class I Permit. Nothing in Sections 420.1 through  
6      ~~420.15~~ et seq. of this title shall be construed to regulate the  
7      manufacturing, fabrication, assembling, selling or installing of any  
8      system, container, apparatus or appliance having a fuel container  
9      with a maximum individual water capacity of less than two and one-  
10     half (2 1/2) pounds.

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

14                2. All such registration permits shall expire annually with no  
15     permit extending longer than one (1) calendar year. The expiration  
16     dates shall be set by the Board in the rules. The Administrator may  
17     issue a semiannual permit to applicants engaging in the business  
18     within six (6) months or less of the annual renewal date. A  
19     semiannual permit shall expire on the following annual expiration  
20     date. The fee for a semiannual permit shall be one-half (1/2) that  
21     of the fee of the annual permit. All registration permits required  
22     pursuant to the provisions of this section shall be renewed upon  
23     payment of the annual fees on or before the expiration of the  
24     registration permit, and upon fulfilling all insurance requirements.

1      The Board is authorized to establish necessary penalty provisions  
2      required to ensure prompt payment of the annual fees.

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

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

8            C. Persons, firms and corporations required to be registered  
9      pursuant to the provisions of Sections 420.1 ~~through 420.15~~ et seq.  
10     of this title, at the time of issuance of each permit, shall pay to  
11     the Administrator the initial permit fee, if applicable, and any  
12     annual fee that is applicable to the following permit classes:

13            1. Class I - Dealer Permit;

14            2. Class II - Truck Transporter Permit;

15            3. Class III - DOT Cylinder Transporter Permit;

16            4. Class IV - Installer Permit;

17            5. Class IV-D - Driver/Installer Permit;

18            6. Class V - Miscellaneous Permits;

19            7. Class VI - DOT Cylinder and/or LPG Motor Fuel Station;

20            7. 8. Class VI-A - LPG Dispensing Permit;

21            8. 9. Class VII - Cylinder Exchange Program Permit;

22            9. 10. Class VIII - Unodorized LPG Permit;

23            10. 11. Class IX - LPG Container Sales Permit;

1       11. 12. Class IX-A - Manufactured Homes and Recreation Sales  
2       Permit; and

3       12. 13. Class X - Manager's Permit.

4           D. 1. Each person, firm or corporation holding a permit  
5       authorizing the use of an LPG bulk delivery truck or trailer shall  
6       owe at the time of inspection an annual inspection fee in an amount  
7       as established by the Board for each delivery truck or trailer  
8       belonging to the person, firm or corporation. Each person, firm or  
9       corporation who does not hold a permit issued by the Board  
10      authorizing the use of an LPG bulk delivery truck or trailer in the  
11     state shall pay an annual inspection fee in an amount as established  
12     by the Board for each such truck or trailer belonging to the person,  
13     firm or corporation being used to dispense or transport LPG in the  
14     state.

15           2. The inspection fee shall increase to an amount established  
16     by the Board per vehicle if the inspection is not completed within  
17     sixty (60) days of the expiration date, or at a later date at the  
18     discretion of the Administrator.

19           E. Any LPG bulk delivery truck or trailer failing to be  
20     approved at its annual inspection shall be assessed a fee in an  
21     amount as established by the Board at the time that it is  
22     reinspected.

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

1       G. The Board is authorized to approve or disapprove  
2 applications for registration permits to distributors and retailers  
3 of LPG and managers of LPG establishments. The Administrator is  
4 authorized to approve or disapprove all other applications for  
5 registration permits that may be issued pursuant to the provisions  
6 of this section.

7           1. No application shall be approved by the Administrator unless  
8 the Administrator is satisfied that the applicant by written  
9 examination has shown a working knowledge of the safety requirements  
10 provided by the rules of the Board.

11           2. No application shall be approved by the Board unless the  
12 Board is satisfied by adequate written examination of the applicant,  
13 or the individual who is or shall be directly responsible for  
14 actively supervising the operations of such applicant which is a  
15 partnership, firm or corporation, that the applicant or such  
16 individual has a working knowledge of the safety requirements  
17 provided by the rules of the Board. The Board shall cause to be  
18 held public hearings in the months of January, April, July and  
19 October of each year on all applications for new registration  
20 permits required by the provisions of this section, or upon such  
21 other occasions as the Board may deem necessary. Notice of each  
22 hearing shall be mailed to each such applicant and shall be posted  
23 in a conspicuous place in the Office of the Administrator in  
Oklahoma City, Oklahoma, at least thirty (30) days prior to the date

1 of the hearing. The notice shall include the name, address, permit  
2 class and business location of each applicant whose application is  
3 to be considered at the hearing. The applicant, or the individual  
4 who is or shall be directly responsible for and actively supervising  
5 the operations of the applicant, may be present at the hearing. If,  
6 after the public hearing, an applicant is found by the Board to have  
7 a working knowledge of the safety requirements provided by the rules  
8 and regulations of the Board, the Board shall cause an order to that  
9 effect to be entered upon its records and the application shall be  
10 approved. In the event an applicant fails to qualify, the fact  
11 shall be entered upon the Board's records.

12       3. The Board shall charge a fee, in an amount established by  
13 the Board, for testing materials and the expense of holding the  
14 examinations provided for in this section. The fee shall be paid  
15 upon filing an application for any permit.

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

19       I. Except as otherwise provided for in this section, all  
20 persons, firms or corporations engaged in the business of  
21 manufacturing, fabricating, assembling or installing any LPG system,  
22 container, apparatus or appliance in this state, and required to be  
23 registered pursuant to the provisions of Sections 420.1 ~~through~~  
24 ~~420.15 et seq.~~ of this title, shall file with the Administrator a

1 certificate indicating liability insurance coverage for the  
2 manufacturer and contractor. 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, and shall be in full force and  
8 effect, covering the plant, equipment and motor vehicles used in  
9 such business, and the operations of the business.

10 J. Except as otherwise provided for in this section, all  
11 transporters, distributors, or retailers of LPG in this state,  
12 required to be registered pursuant to Sections 420.1 ~~through 420.15~~  
13 et seq. of this title, shall file with the Administrator a  
14 certificate indicating that public liability and property damage  
15 insurance coverage has been issued. The Board is authorized to  
16 establish coverage amounts for each class of permit, provided  
17 coverage shall be for an amount of not less than Twenty-five  
18 Thousand Dollars (\$25,000.00) to Fifty Thousand Dollars (\$50,000.00)  
19 for bodily injury and limits of not less than Twenty-five Thousand  
20 Dollars (\$25,000.00) for property damage has been issued, and is in  
21 full force and effect, covering the plant, equipment, and motor  
22 vehicles used in such business, and the operations of the business.

23 K. Insurance pursuant to the provisions of this section shall  
24 be maintained in full force and effect during the operation of the

1 business for which the coverage was issued. Except as otherwise  
2 provided for in this section, or in administrative rules promulgated  
3 by the Board, no registration permit shall be issued until the  
4 certificate is filed with the Administrator. No insurance coverage  
5 shall be canceled or terminated without thirty (30) ~~days~~ days' prior  
6 written notice of cancellation or termination to the Administrator.

7 L. The Board is authorized, upon proof of or a satisfactory  
8 showing that any person, firm or corporation is financially able to  
9 pay or satisfy any judgment, claim or demand against the person,  
10 firm or corporation, to waive the insurance coverage required by  
11 this section. The Board, in lieu of the certificate, may require  
12 the deposit, with the Administrator, of securities, or satisfactory  
13 indemnity bond, in an amount and of a kind designated by the Board,  
14 to secure the liability of such person, firm or corporation to pay  
15 any judgment, claim or demand. The security shall not be in excess  
16 of the limits set forth in this section. If the Board deems the  
17 financial status of such person, firm or corporation to be impaired  
18 so as to reduce the ability of such person, firm or corporation to  
19 make payment or to satisfy any judgment, claim or demand, the Board  
20 may revoke the waiver and require the person, firm or corporation to  
21 file certificates required by this section within thirty (30) days  
22 after written notice is sent by the Board to the person, firm or  
23 corporation.

1 SECTION 4. AMENDATORY 52 O.S. 2021, Section 420.5, as  
2 amended by Section 2, Chapter 330, O.S.L. 2022 (52 O.S. Supp. 2024,  
3 Section 420.5), is amended to read as follows:

4 Section 420.5. A. The Board is authorized to establish a fee,  
5 to be paid to the Administrator, upon the sale, purchase, rental  
6 and/or use in this state of liquefied petroleum gas refillable  
7 cylinders and all other liquefied petroleum gas containers. The fee  
8 shall be used to offset the cost of LP-Gas Administration  
9 inspections, including, but not limited to, inspections of whether  
10 cylinders were constructed in accordance with United States  
11 Department of Transportation specifications, and inspections of  
12 cylinder exchange stations, more generally.

13 B. Each manufacturer of LP-Gas containers in Oklahoma, each  
14 vendor of containers manufactured outside of the state, and each  
15 person, firm or corporation placing any LPG container or cylinder in  
16 use in this state, including, but not limited to LPG dealers or  
17 distributors who ship containers from any point outside of Oklahoma  
18 to a point within Oklahoma, shall pay the applicable fee. For  
19 vendors of containers manufactured outside of this state, the fee or  
20 fees shall apply and become due upon delivery to the vendors, or for  
21 their account within the state of containers or cylinders purchased  
22 outside of the state. In no event shall the fees herein levied be  
23 paid or become payable on any container or cylinder sold, rented,  
24 purchased or placed in use in this state prior to the effective date

1 of this act, or more than once on any container or cylinder, or upon  
2 any container or cylinder resold, rerented, repurchased or reused in  
3 this state. The Administrator is authorized to refund or credit  
4 fees upon containers sold outside of the state upon which the fees  
5 have previously been paid, or any fees which have erroneously been  
6 paid, upon written application supported by affidavit setting forth  
7 the basis for such refund. The Administrator is authorized to adopt  
8 a system of identification of containers on which the fees herein  
9 levied have been paid. The Board shall promulgate administrative  
10 rules establishing cylinder and container fees and otherwise  
11 implementing this section.

12 C. For containers that are placed in cylinder exchange cabinets  
13 for sale or rental, the cylinder and container fee shall be a flat  
14 fee that is levied on an annual basis for each separate Class VII  
15 permit location. For the purposes of this act, a cylinder exchange  
16 cabinet is a lockable and ventilated metal locker or rack for the  
17 storage of the LPG cylinders that prevents tampering with valves and  
18 pilferage into the cylinders. The Administrator is authorized to  
19 adopt a system that identifies the cylinders and containers on which  
20 the fees herein levied have been paid. Such a system may include  
21 identification tags that are affixed to individual cylinders and  
22 tanks or cylinder exchange cabinets.

23 D. No person, firm or corporation shall use or install in this  
24 state any container or cylinder upon which the applicable fee levied

1 above applies and has not been paid. In case of failure to pay any  
2 invoice issued by the Board or Administration within the specified  
3 ~~time, there shall be assessed a penalty of twenty-five percent~~  
4 ~~(25%), which shall be added to the applicable fee thirty-five (35)~~  
5 calendar days of the issuance thereof, there shall be assessed a  
6 penalty of twenty-five percent (25%), which shall be added to the  
7 applicable fee. The twenty-five-percent penalty shall be in  
8 addition to any other penalty provided by law, including, but not  
9 limited to, the administrative penalty established pursuant to  
10 Section 420.6 of this title.

11 SECTION 5. AMENDATORY 52 O.S. 2021, Section 420.7, is

12 amended to read as follows:

13 Section 420.7. A. It shall be the duty of the Administrator to  
14 inspect, or to provide for the inspection of, any Liquified  
15 Petroleum Gas (LPG) systems, containers, apparatus, or appliances  
16 installed in this state, and any LPG bulk-delivery trucks or  
17 trailers used in this state, whenever in the discretion of the  
18 Administrator, any deputy administrator, or any safety code  
19 enforcement officer such inspection is necessary to effectuate the  
20 purposes of this act. The Administrator, ~~and~~ any deputy  
21 administrator or safety code enforcement officer are hereby  
22 severally empowered and authorized to enter upon any premises where  
23 any such installation is being or has been made to conduct such  
24 inspection.

1       B. The Administrator, under the direction of the Board, shall  
2 require proving of metering system to determine the accuracy to be  
3 within the manufacturer's tolerance not to exceed plus or minus one  
4 percent (1%) at any time. The LPG liquid meter system shall be  
5 designed and constructed to provide for applying lead-and-wire seals  
6 in such a manner that no modifications or adjustments which would  
7 affect the accuracy of deliveries, can be made without mutilating  
8 the seal or seals.

9       C. Every person to whom the Board or the Administrator issues a  
10 registration permit as herein provided shall have immediate  
11 possession of the permit at all times when engaged in that phase of  
12 the LPG business for which the same was issued and shall display the  
13 same upon demand of the Administrator, the ~~chief deputy~~  
14 ~~administrator, or any~~ deputy administrator or safety code  
15 enforcement officer.

16      D. The Administrator ~~and,~~ the ~~chief~~ deputy administrator, ~~and~~  
17 ~~such deputies and such~~ safety code enforcement officers as the  
18 Administrator shall by appropriate written commission appoint, shall  
19 have all of the powers and authority of peace officers of this state  
20 in making arrests for violations of this act or the safety rules  
21 promulgated thereunder, or in serving any process, notice or order  
22 connected with the enforcement of this act issued by the  
23 Administrator. The Administrator, any deputy administrator or  
24 safety code enforcement officers shall be Council on Law Enforcement

1      Education and Training (CLEET) certified, before the Administrator  
2      may appoint, by appropriate written commission, such a person to  
3      have all of the powers and authority of peace officers of this state  
4      in making arrests for violations of this act or the safety rules  
5      promulgated thereunder, or in serving any process, notice or order  
6      connected with the enforcement of this act issued by the  
7      Administrator.

8            E. The Administrator, the ~~chief deputy administrator and any~~  
9      deputy administrator or safety code enforcement officer are hereby  
10     empowered and authorized to sign complaints against and to cause the  
11     arrest of any person charged with a violation or violations of this  
12     act or the safety rules promulgated thereunder. In the event the  
13     district attorney fails or refuses to draw or endorse any complaint  
14     submitted to the district attorney and the complainant, whether it  
15     be the Administrator, the ~~chief deputy administrator or any~~ deputy  
16     administrator or safety code enforcement officer, desires to secure  
17     prosecution of the complaint, then and in that event any court of  
18     competent jurisdiction shall be authorized to issue a warrant for  
19     the arrest of the person charged in the complaint and the  
20     complainant shall not be required to file with the court the bond  
21     provided to be filed with and approved by the court in Sections 231  
22     through 233 of Title 22 of the Oklahoma Statutes.

23            F. The Administrator and any deputy or safety code enforcement  
24     officer are hereby severally empowered and authorized to condemn any

1 liquefied petroleum gas system, container, apparatus or appliance in  
2 this state not manufactured, fabricated, assembled or installed in  
3 accordance with the safety rules adopted or promulgated under this  
4 act, and shall have the authority to forbid the use of any such  
5 system, container, apparatus or appliance unless and until the same  
6 have been made to comply in all respects with such safety rules.

7 G. The Administrator is hereby empowered and authorized to  
8 inspect or cause the inspection of the records of any person, firm  
9 or corporation pertaining to the installation by such person, firm  
10 or corporation of liquefied petroleum gas systems, containers,  
11 apparatus or appliances in this state.

12 H. The Attorney General of the State of Oklahoma shall appear  
13 and represent the Administrator and the Board and members thereof,  
14 or any of them, in all litigation or other proceedings that may  
15 arise in the discharge of duties and shall, at the request of the  
16 Administrator, assist the district attorney in prosecuting charges  
17 of violations of this act.

18 SECTION 6. AMENDATORY 52 O.S. 2021, Section 420.9, as  
19 amended by Section 3, Chapter 330, O.S.L. 2022 (52 O.S. Supp. 2024,  
20 Section 420.9), is amended to read as follows:

21 Section 420.9. A. All liquefied petroleum gases designated as  
22 commercial propane, commercial butane or mixtures thereof, sold for  
23 consumption in this state, shall, when subjected to the test methods  
24 of the GPA Midstream Association, meet applicable specifications

1 adopted as tentative standards by the Association for the particular  
2 product sold.

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

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

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

15       E. ~~Containers shall be filled or used only upon authorization~~  
16 ~~of the fee simple owner. The name of the fee simple owner, if other~~  
17 ~~than the consumer, shall be conspicuously shown on the container~~ All  
18 registered permit holders under the Oklahoma Liquified Petroleum Gas  
19 Regulation Act, set forth at Section 420.4 of this title, shall  
20 conspicuously mark any containers it owns so that the owner of any  
21 given container can be easily identified. Containers owned by one  
22 permit holder shall only be filled or used by another permit holder  
23 upon authorization of the permit holder owning the container. In

1     all instances, a consumer's authorization to fill a container shall  
2     be required before filling it.

3                 F. At least one attendant shall remain close to the transfer  
4 connection from the time the connections are first made until they  
5 are finally disconnected, during the transfer of the product.

6 During the actual transfer of liquids into containers at ~~domestic~~  
7 type domestic-type dwellings and installations, the attendant shall  
8 not enter into any type of enclosure including but not limited to  
9 truck cabs, dwellings and barns and shall maintain visual contact  
10 with the liquid level gauge at all times.

11                 SECTION 7. This act shall become effective November 1, 2025.

12  
13                 60-1-10591           JBH           12/16/24

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