

1 ENGROSSED HOUSE
2 BILL NO. 1157

3 By: Cornwell of the House

4 and

5 Green of the Senate

6 An Act relating to liquefied petroleum gas;
7 authorizing certain investigations; requiring
8 notifications of certain accidents or fires;
9 requiring notification be sent within certain time
10 frame; amending 52 O.S. 2021, Section 420.2, which
11 relates to the State Liquefied Petroleum Gas
12 Administrator; removing certain appointed position;
13 amending 52 O.S. 2021, Section 420.3, which relates
14 to the Oklahoma Liquefied Petroleum Gas Board;
15 modifying statutory references; modifying types of
16 meetings that can be designated; requiring meetings
17 adhere to the Oklahoma Open Meeting Act; authorizing
18 the lease, purchase, maintenance, and use of
19 vehicles; authorizing the promulgation of rules;
20 amending 52 O.S. 2021, Section 420.4, as amended by
21 Section 1, Chapter 330, O.S.L. 2022 (52 O.S. Supp.
22 2024, Section 420.4), which relates to registration
23 permits; modifying statutory references; modifying
24 list of permit classes; amending 52 O.S. 2021,
Section 420.5, as amended by Section 2, Chapter 330,
O.S.L. 2022 (52 O.S. Supp. 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

1 mixtures; removing certain requirements for filling,
2 using, and identifying containers; requiring certain
3 identifying marks on containers; requiring certain
4 authorizations; and providing an effective date.

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

6 SECTION 1. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 420.18 of Title 52, unless there
8 is created a duplication in numbering, reads as follows:

9 The Liquefied Petroleum Gas Board shall have the right to
10 conduct thorough investigations of liquefied petroleum gas accidents
11 or fires in this state. In case of an accident or fire at any
12 location where there is a liquefied petroleum gas system or
13 equipment, or in the case of any accident or fire where a liquefied
14 petroleum gas system or equipment is or may be involved, the
15 Oklahoma State Fire Marshal, the sheriff of the county, and the
16 chief of the fire department or the mayor if no fire department
17 exists, shall notify the State Liquefied Petroleum Gas Administrator
18 of said accident or fire immediately at the time they become aware
19 of same. In no event shall this notification be forwarded later
20 than one (1) business day after knowledge of the accident or fire is
21 obtained, in order to enable an investigation to be made by the
22 State Liquefied Petroleum Gas Administration before the site has
23 been disturbed.

1 SECTION 2. AMENDATORY 52 O.S. 2021, Section 420.2, is
2 amended to read as follows:

3 Section 420.2. A. There is hereby created a State Liquefied
4 Petroleum Gas Administrator, to be appointed by the Governor from a
5 list of nominees submitted by the Oklahoma Liquefied Petroleum Gas
6 Board, hereinafter created. The appointment shall be subject to
7 confirmation by the Senate. The Administrator shall:

- 8 1. Receive a salary to be established by the Oklahoma Liquefied
9 Petroleum Gas Board;
- 10 2. Act in no other official or quasi-official capacity except
11 as herein provided; and
- 12 3. Serve at the pleasure of the Governor.

13 B. The Administrator, subject to approval of the Board, shall
14 appoint and fix the duties and compensation of employees necessary
15 to perform the duties imposed upon the Oklahoma Liquefied Petroleum
16 Gas Board by law.

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

- 20 a. be citizens of the United States,
- 21 b. be legal residents of this state,
- 22 c. be physically, mentally and morally capable of
23 performing the duties imposed upon them pursuant to
24 the Oklahoma Liquefied Petroleum Gas Regulation Act,

- 1 d. not have been convicted of a felony in this state or
2 any other state as established by a national criminal
3 history record check as defined in Section 150.9 of
4 Title 74 of the Oklahoma Statutes, and
5 e. after the date of their appointment, not be engaged in
6 any business in this state related to the production,
7 manufacture, distribution, sale, installation or
8 transportation of any of the products or equipment
9 covered by the Oklahoma Liquefied Petroleum Gas
10 Regulation Act.

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

- 15 a. the Administrator shall include at least two (2)
16 years' experience in positions of managerial
17 responsibility or two (2) years' experience as a
18 liquefied petroleum gas safety code enforcement
19 officer,
- 20 b. ~~the chief deputy administrator~~ and deputy
21 administrators shall include at least one and one-half
22 (1 1/2) years of such experience, and
- 23 c. the safety code enforcement officers shall include at
24 least two (2) years' experience in actual physical

1 installation or inspection of liquefied petroleum gas
2 systems, containers, apparatus or appliances, or
3 installations thereof, and/or the ability to enforce
4 the rules and regulations.

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

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

12 SECTION 3. AMENDATORY 52 O.S. 2021, Section 420.3, is
13 amended to read as follows:

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

1 ~~through 420.15 et seq.~~ of this title, or by their representatives,
2 and shall be subject to confirmation by the Senate.

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

21 C. Re-creation shall not alter existing membership or terms of
22 office. Members shall serve until their successors in office are
23 duly appointed and qualified. Initial appointments of those members
24 of the Board from the designated geographical areas of the state

1 shall be for terms ranging from one (1) year to five (5) years, the
2 Governor to designate same, and the initial terms of office of the
3 members at large on the Board shall be for one (1) year and two (2)
4 years, respectively, as designated by the Governor. Thereafter, the
5 terms of all members shall be for four (4) years. In the event of
6 the death, resignation, disqualification or incapacity of one or
7 more members of the Board, a recess appointment for the unexpired
8 term of each such member may be made by the Governor as hereinabove
9 provided. Members of the Board shall be entitled to be reimbursed
10 for necessary travel expenses as provided in the State Travel
11 Reimbursement Act.

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

24

1 Open Meeting Act pursuant to Section 301 et seq. of Title 25 of the
2 Oklahoma Statutes.

3 E. The standards for the storage and handling of liquefied
4 petroleum gases adopted by the National Fire Protection Association
5 and published in Pamphlet No. 58 including current and subsequent
6 editions and any subsequent changes and/or additions to the
7 pamphlet, and the standards for the installation of gas appliances
8 and gas piping adopted by the National Fire Protection Association
9 and published in Pamphlet No. 54 including the current and any
10 subsequent editions and any subsequent changes and/or additions to
11 the pamphlet shall be the accepted standards for this state. The
12 Board is hereby empowered and authorized, and it shall be its duty
13 to prescribe, adopt and promulgate, in the manner set forth in
14 Section 420.1 et seq. of this title, rules relating to safety in the
15 storage, distribution, dispensing, transporting and utilization of
16 LPG in this state and in the manufacture, fabrication, assembly,
17 sale, installation or use in this state of LPG systems, containers,
18 apparatus or appliances, and reasonable rules governing the issuance
19 of such permits and operations thereunder, and not inconsistent with
20 the Oklahoma Liquefied Petroleum Gas Regulation Act, as it shall
21 deem just and reasonable, and to revoke, amend or supersede such
22 supplementary rules.

23 F. The Administrator shall administer and enforce all rules
24 formulated and adopted by the Board and administer and enforce the

1 safety rules prescribed, adopted or promulgated by the Board under
2 and by virtue of the provisions of the Oklahoma Liquefied Petroleum
3 Gas Regulation Act, and incur all necessary expenditures in
4 effectuating the purposes of this subsection. The Administrator
5 shall serve as secretary to the Board, and shall be subject to
6 confirmation by the Senate.

7 G. Before any rules are revised, amended, adopted or
8 promulgated hereunder, the Administrator, acting on behalf of the
9 Board, shall give ten (10) days' notice to all Class I and Class II
10 permit holders under the Oklahoma Liquefied Petroleum Gas Regulation
11 Act, by mailing to the permit holders a written notice, signed by
12 the Administrator, on behalf of the Board, containing either a
13 statement of the terms or substance of the intended action, a
14 description of the subjects and issues involved, or an accurate copy
15 of the new, revised or amended rules which the Board proposes to
16 adopt and promulgate, stating the date, time and place of a public
17 hearing at which oral or written objections to such proposals shall
18 be heard and considered. Notice shall also be given as required by
19 the Administrative Procedures Act. Nothing in this subsection shall
20 prevent the furnishing of such other or additional notice as the
21 Board shall direct.

22 H. At any hearing held under this section, not less than a
23 quorum of the Board shall be present and shall preside; provided,
24 however, that by unanimous vote and resolution, the Board may

1 authorize the Administrator to preside at any or all such hearings,
2 and in such event no Board member need be present. After any such
3 hearing the Board may, by majority vote, adopt any proposed new,
4 revised or amended rules with such amendments and modifications
5 thereof as the ~~the~~ Board shall deem just and reasonable, and a
6 certificate reciting such adoption and the effective date thereof
7 shall be signed by the members comprising the majority of the Board.

8 I. The Administration may lease, purchase, and maintain motor
9 vehicles for use by the employees of the Administration. The
10 Administrator may prescribe rules on the use of Administration-owned
11 vehicles as deemed necessary for employees of the Administration to
12 perform their duties.

13 SECTION 4. AMENDATORY 52 O.S. 2021, Section 420.4, as
14 amended by Section 1, Chapter 330, O.S.L. 2022 (52 O.S. Supp. 2024,
15 Section 420.4), is amended to read as follows:

16 Section 420.4. A. No person, firm or corporation shall
17 manufacture, fabricate, assemble or install in this state any
18 system, container, apparatus or appliance used or to be used in this
19 state in or for the transportation, storage, dispensing or
20 utilization of LPG, nor shall any transporter, distributor or
21 retailer of LPG store, dispense or transport over the highways of
22 this state any LPG intended for use in this state in any such
23 system, container, apparatus or appliance, without having first
24 applied for and obtained a registration permit to do so. A permit

1 shall not be required by any person, firm or corporation engaged in
2 the production or manufacture of LPG, or selling or reselling LPG to
3 transporters, gas processors, distributors or retailers, nor by any
4 person, firm or corporation selling or delivering motor vehicles or
5 tractors which are factory equipped with an LPG system, container,
6 apparatus or appliance for the utilization of LPG as motor fuel.

7 The provisions of this section shall not prevent an individual from
8 installing in his or her own single-unit residence any system,
9 container, apparatus or appliance which uses or will utilize LPG,
10 provided that such individual has secured an inspection of the
11 installation by the Administrator or someone designated by the
12 Administrator or by a person duly licensed to make such an
13 installation prior to the use of the system, container, apparatus or
14 appliance. Applications for registration permits shall be in
15 writing, on a form provided by the Board, and shall contain such
16 pertinent information as is required by the Board. Upon approval of
17 each application and receipt of the certificates of insurance or
18 securities required by the provisions of this section, the
19 Administrator shall issue to the applicant a permit to engage in the
20 phase of the LPG industry in this state to which such permit
21 applies. No permit other than the Class I Dealer Permit shall be
22 transferable. The Board is authorized to establish a fee for the
23 transfer of a Class I Permit. Nothing in Sections Section 420.1
24 ~~through 420.15 et seq.~~ of this title shall be construed to regulate

1 | the manufacturing, fabrication, assembling, selling or installing of
2 | any system, container, apparatus or appliance having a fuel
3 | container with a maximum individual water capacity of less than two
4 | and one-half (2 1/2) pounds.

5 | B. 1. The Board is authorized to establish an annual permit
6 | fee for the issuance of each class of permit listed in subsection C
7 | of this section.

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

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

23 |
24 |

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

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

- 9 1. Class I - Dealer Permit;
- 10 2. Class II - Truck Transporter Permit;
- 11 3. Class III - DOT Cylinder Transporter Permit;
- 12 4. Class IV - Installer Permit;
- 13 5. Class IV-D - Driver/Installer Permit;
- 14 6. Class V - Miscellaneous Permits;
- 15 7. Class VI - DOT Cylinder and/or LPG Motor Fuel Station;
- 16 7. 8. Class VI-A - LPG Dispensing Permit;
- 17 8. 9. Class VII - Cylinder Exchange Program Permit;
- 18 9. 10. Class VIII - Unodorized LPG Permit;
- 19 10. 11. Class IX - LPG Container Sales Permit;
- 20 11. 12. Class IX-A - Manufactured Homes and Recreation Sales
21 Permit; and
- 22 12. 13. Class X - Manager's Permit.

23 D. 1. Each person, firm or corporation holding a permit
24 authorizing the use of an LPG bulk delivery truck or trailer shall

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

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

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

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

20 G. The Board is authorized to approve or disapprove
21 applications for registration permits to distributors and retailers
22 of LPG and managers of LPG establishments. The Administrator is
23 authorized to approve or disapprove all other applications for

1 registration permits that may be issued pursuant to the provisions
2 of this section.

3 1. No application shall be approved by the Administrator unless
4 the Administrator is satisfied that the applicant by written
5 examination has shown a working knowledge of the safety requirements
6 provided by the rules of the Board.

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

1 the operations of the applicant, may be present at the hearing. If,
2 after the public hearing, an applicant is found by the Board to have
3 a working knowledge of the safety requirements provided by the rules
4 and regulations of the Board, the Board shall cause an order to that
5 effect to be entered upon its records and the application shall be
6 approved. In the event an applicant fails to qualify, the fact
7 shall be entered upon the Board's records.

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

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

15 I. Except as otherwise provided for in this section, all
16 persons, firms or corporations engaged in the business of
17 manufacturing, fabricating, assembling or installing any LPG system,
18 container, apparatus or appliance in this state, and required to be
19 registered pursuant to the provisions of ~~Sections~~ Section 420.1
20 ~~through 420.15 et seq.~~ of this title, shall file with the
21 Administrator a certificate indicating liability insurance coverage
22 for the manufacturer and contractor. The Board is authorized to
23 establish coverage amounts for each class of permit, provided
24 coverage shall be for an amount of not less than Twenty-five

1 Thousand Dollars (\$25,000.00) to Fifty Thousand Dollars (\$50,000.00)
2 for bodily injury and limits of not less than Twenty-five Thousand
3 Dollars (\$25,000.00) for property damage, and shall be in full force
4 and effect, covering the plant, equipment and motor vehicles used in
5 such business, and the operations of the business.

6 J. Except as otherwise provided for in this section, all
7 transporters, distributors, or retailers of LPG in this state,
8 required to be registered pursuant to ~~Sections~~ Section 420.1 through
9 420.15 et seq. of this title, shall file with the Administrator a
10 certificate indicating that public liability and property damage
11 insurance coverage has been issued. The Board is authorized to
12 establish coverage amounts for each class of permit, provided
13 coverage shall be for an amount of not less than Twenty-five
14 Thousand Dollars (\$25,000.00) to Fifty Thousand Dollars (\$50,000.00)
15 for bodily injury and limits of not less than Twenty-five Thousand
16 Dollars (\$25,000.00) for property damage has been issued, and is in
17 full force and effect, covering the plant, equipment, and motor
18 vehicles used in such business, and the operations of the business.

19 K. Insurance pursuant to the provisions of this section shall
20 be maintained in full force and effect during the operation of the
21 business for which the coverage was issued. Except as otherwise
22 provided for in this section, or in administrative rules promulgated
23 by the Board, no registration permit shall be issued until the
24 certificate is filed with the Administrator. No insurance coverage

1 shall be canceled or terminated without thirty (30) ~~days~~ days' prior
2 written notice of cancellation or termination to the Administrator.

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

20 SECTION 5. AMENDATORY 52 O.S. 2021, Section 420.5, as
21 amended by Section 2, Chapter 330, O.S.L. 2022 (52 O.S. Supp. 2024,
22 Section 420.5), is amended to read as follows:

23 Section 420.5. A. The Board is authorized to establish a fee,
24 to be paid to the Administrator, upon the sale, purchase, rental

1 and/or use in this state of liquefied petroleum gas refillable
2 cylinders and all other liquefied petroleum gas containers. The fee
3 shall be used to offset the cost of LP-Gas Administration
4 inspections, including, but not limited to, inspections of whether
5 cylinders were constructed in accordance with United States
6 Department of Transportation specifications, and inspections of
7 cylinder exchange stations, more generally.

8 B. Each manufacturer of LP-Gas containers in Oklahoma, each
9 vendor of containers manufactured outside of the state, and each
10 person, firm or corporation placing any LPG container or cylinder in
11 use in this state, including, but not limited to, LPG dealers or
12 distributors who ship containers from any point outside of Oklahoma
13 to a point within Oklahoma, shall pay the applicable fee. For
14 vendors of containers manufactured outside of this state, the fee or
15 fees shall apply and become due upon delivery to the vendors, or for
16 their account within the state of containers or cylinders purchased
17 outside of the state. In no event shall the fees herein levied be
18 paid or become payable on any container or cylinder sold, rented,
19 purchased or placed in use in this state prior to the effective date
20 of this act, ~~or more than once on any container or cylinder, or upon~~
21 ~~any container or cylinder resold, rerented, repurchased or reused in~~
22 ~~this state. The Administrator is authorized to refund or credit~~
23 ~~fees upon containers sold outside of the state upon which the fees~~
24 ~~have previously been paid, or any fees which have erroneously been~~

1 paid, upon written application supported by affidavit setting forth
2 the basis for such refund. The Administrator is authorized to adopt
3 a system of identification of containers on which the fees herein
4 levied have been paid. The Board shall promulgate administrative
5 rules establishing cylinder and container fees and otherwise
6 implementing this section.

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

18 D. No person, firm or corporation shall use or install in this
19 state any container or cylinder upon which the applicable fee levied
20 above applies and has not been paid. In case of failure to pay any
21 invoice issued by the Board or Administration within the specified
22 time, there shall be assessed a penalty of twenty five percent
23 (25%), which shall be added to the applicable fee thirty-five (35)
24 calendar days of the issuance thereof, there shall be assessed a

1 penalty of twenty-five percent (25%), which shall be added to the
2 applicable fee. The twenty-five-percent penalty shall be in
3 addition to any other penalty provided by law, including, but not
4 limited to, the administrative penalty established pursuant to
5 Section 420.6 of this title.

6 SECTION 6. AMENDATORY 52 O.S. 2021, Section 420.7, is
7 amended to read as follows:

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

19 B. The Administrator, under the direction of the Board, shall
20 require proving of metering system to determine the accuracy to be
21 within the manufacturer's tolerance not to exceed plus or minus one
22 percent (1%) at any time. The LPG liquid meter system shall be
23 designed and constructed to provide for applying lead-and-wire seals
24 in such a manner that no modifications or adjustments which would

1 affect the accuracy of deliveries, can be made without mutilating
2 the seal or seals.

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

10 D. The Administrator ~~and,~~ the ~~chief~~ deputy administrator, ~~and~~
11 ~~such deputies and such~~ safety code enforcement officers as the
12 Administrator shall by appropriate written commission appoint, shall
13 have all of the powers and authority of peace officers of this state
14 in making arrests for violations of this act or the safety rules
15 promulgated thereunder, or in serving any process, notice or order
16 connected with the enforcement of this act issued by the
17 Administrator. The Administrator, any deputy administrator, or
18 safety code enforcement officers shall be Council on Law Enforcement
19 Education and Training (CLEET) certified before the Administrator
20 may appoint, by appropriate written commission, such a person to
21 have all of the powers and authority of peace officers of this state
22 in making arrests for violations of this act or the safety rules
23 promulgated thereunder, or in serving any process, notice, or order

1 | connected with the enforcement of this act issued by the
2 | Administrator.

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

18 | F. The Administrator and any deputy or safety code enforcement
19 | officer are hereby severally empowered and authorized to condemn any
20 | liquefied petroleum gas system, container, apparatus or appliance in
21 | this state not manufactured, fabricated, assembled or installed in
22 | accordance with the safety rules adopted or promulgated under this
23 | act, and shall have the authority to forbid the use of any such
24 |

1 system, container, apparatus or appliance unless and until the same
2 have been made to comply in all respects with such safety rules.

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

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

14 SECTION 7. AMENDATORY 52 O.S. 2021, Section 420.9, as
15 amended by Section 3, Chapter 330, O.S.L. 2022 (52 O.S. Supp. 2024,
16 Section 420.9), is amended to read as follows:

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

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

1 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 8. This act shall become effective November 1, 2025.

10 Passed the House of Representatives the 17th day of March, 2025.

11
12

13 Presiding Officer of the House
of Representatives
14

15 Passed the Senate the _____ day of _____, 2025.
16

17

18 Presiding Officer of the Senate
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