1	State of Arkansas			
2	80th General Assembly A Bill	ACT 604 OF		
3	Regular Session, 1995	SENATE BILL	100	
4	By: Senator Beebe			
5				
6				
7	For An Act To Be Entitled			
8	"AN ACT TO AMEND TITLE 15, CHAPTER 75, SUBCHAP	PTER 3		
9	RELATING TO PERMITS FOR THE SALE, STORAGE, AND)		
10	TRANSPORTATION OF LIQUEFIED PETROLEUM GAS; AND	FOR OTHER		
11	PURPOSES."			
12				
13	Subtitle			
14	"TO AMEND TITLE 15, CHAPTER 75,			
15	SUBCHAPTER 3 RELATING TO PERMITS FOR			
16	SALE, STORAGE, AND TRANSPORTATION OF	?		
17	LIQUEFIED PETROLEUM GAS."			
18				
19	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF	ARKANSAS:		
20				
21	SECTION 1. Arkansas Code 15-75-308(b) is amend	ed to read as follo	ws:	
22	"(b) The applicant for a class two permit:			
23	(1) Must furnish evidence of the followi	ng insurance:		
24	(A) Manufacturers' and Contrac- Ea	ch Person \$2	50,000	
25	tors' Bodily Injury Lia- Ea	ch Accident 5	00,000	
26	bility Insurance			
27	(B) Manufacturers' and Contrac- Ea	ch Accident \$2	50,000	
28	tors' Property Damage Ag	gregate 5	00,000	
29	Liability Insurance			
30	(C) Products Bodily Injury Ea	ch Person \$2	50,000	
31	Liability Insurance Ea	ch Accident 5	00,000	
32	Ag	gregate 5	00,000	
33	(D) Products Property Damage Ea	ch Accident \$2	50,000	
34	Liability Insurance Ag	gregate		
35	500,000			
36	(2) Must provide a certified or notarize	d financial stateme	nt	

- 1 which has been compiled within the past sixty (60) days; (3) Must provide full-time employment of qualified personnel 3 whose competency shall be proven through a current written or oral examination; Must comply with all other applicable requirements for class 6 two applicants." 7 SECTION 2. Arkansas Code 15-75-309 is amended to read as follows: R 9 "15-75-309. Class three permit The holder of a class three permit: 10 (1) May fill, sell and deliver ICC/DOT cylinders & ASME motor 12 fuel cylinders only; (2) May establish cylinder exchange stations, deliver filled 13 14 cylinders to ICC/DOT cylinder and ASME cylinder exchange stations and service 15 cylinders throughout the state; 16 (3) Must pay an annual permit fee in the sum of one hundred 17 dollars (\$100.00); (4) Must provide liquefied petroleum gas for the cylinders by the 18 19 following method: 20 (i) Furnish a storage container to be located in Arkansas, 21 with a capacity of not less than one thousand (1,000) gallons, unless the 22 board authorizes a smaller container, in connection with the proper type 23 filling facilities; (ii) Cylinders (not to exceed thirty (30) gallons) must be 2.4 25 filled by weight or other approved method only at cylinder filling facilities 26 approved by the Liquefied Petroleum Gas Board; (b) The storage container furnished by the class three permit must be 2.7 28 inspected and approved by the Liquefied Petroleum Gas Board prior to its first 29 use in the class three operation and once annually thereafter. (c) When any cylinder exchange station location changes status from 30
- 31 active to inactive or inactive to active the class three permit holder must
- 32 notify the Liquefied Petroleum Gas Board within thirty (30) days after the
- 33 change of status.
- The applicant for a class three permit: 34 (d)
- (1) Must furnish evidence of the following insurance: 35

1	(A) Manufacturers_ and Contractors_	Each Person	\$500,000		
2	Bodily Injury Liability Insurance	Each Accident	\$500,000		
3	(B) Manufacturers_ and Contractors_	Each Accident	\$500,000		
4	Property Damage Liability Insurance	Aggregate	\$500,000		
5	(C) Products Bodily Injury	Each Person	\$500,000		
6	Liability Insurance	Each Accident	\$500,000		
7		Aggregate	\$500,000		
8	(D) Products Property Damage	Each Accident	\$500,000		
9	Liability Insurance	Aggregate	\$500,000		
10	(2) Must provide full-time employment of qualified personnel whose				
11	competency shall be proved through a current written or oral examination;				
12	(3) Must provide a certified or notarized financial statement which				
13	has been compiled within the past sixty (60) days; and				
14	(4) Must comply with all other applicable requirements."				
15					
16	SECTION 3. Arkansas 15-75-311 is amended to read as follows:				
17	"(a) The holder of a class five permit:				
18	(1) May deliver liquefied petroleum gas to or for class one				
19	dealers, but shall not retail liquefied petroleum gas or sell or install				
20	liquefied petroleum gas containers or systems;				
21	(2) Shall not use motor fuel directly	y from cargo trai	ler tanks;		
22	(3) May deliver liquefied petroleum gas to class three dealers				
23	engaged in cylinder exchange, delivery or service if the class three permit				
24	holder has installed an approved storage container with a minimum capacity of				
25	six thousand (6,000) gallons;				
26	(4) Must notify the Liquefied Petrol	eum Gas Board pri	or to the		
27	first delivery of liquefied petroleum gas to a cla	ass three permit	holder, to		
28	ensure that proper inspection of cylinder exchange filling facilities has been				
29	performed, and no delivery may be made until the facility has been inspected				
			1		
30	and approved by the board and the notice transmit	ted to the board;	and		
30 31	and approved by the board and the notice transmit (5) Must pay an annual permit fee in				

Each Person \$500,000

(b) An applicant for a class five permit:

(A) Automobile Bodily Injury

(1) Must furnish evidence of the following insurance:

34

35

35

1	Liability Insurance Each Accident \$500,000				
2	(B) Automobile Property Damage Each Accident \$500,000				
3	Liability Insurance				
4	(2) Must provide a certified or notarized financial statement which has				
5	been compiled within the past sixty (60) days;				
6	(3) Must provide full-time employment of qualified personnel whose				
7	competency shall be proved through a current written or oral examination; and				
8	(4) Must comply with all other applicable requirements."				
9					
LO	SECTION 4. All provisions of this act of a general and permanent natur				
L1	are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code				
L2	Revision Commission shall incorporate the same in the Code.				
L3					
L4	SECTION 5. If any provision of this act or the application thereof to				
L5	any person or circumstance is held invalid, such invalidity shall not affect				
L6	other provisions or applications of the act which can be given effect without				
L7	the invalid provision or application, and to this end the provisions of this				
L8	act are declared to be severable.				
L9					
20	SECTION 6. All laws and parts of laws in conflict with this act are				
21	hereby repealed.				
22					
23	SECTION 7. EMERGENCY. It is hereby found and determined by the General				
24	Assembly that certain provisions in the Arkansas Code regulating Class 2,				
25	Class 3, and Class 5 dealers in liquefied petroleum gas are obsolete and				
26	overly burdensome, and that the same should be amended as soon as possible to				
27	make those laws more equitable. Therefore, an emergency is hereby declared to				
28	exist, and this act being immediately necessary for the preservation of the				
29	public peace, health, and safety shall be in full force and effect from and				
3 0	after its passage and approval.				
31	/s/Beebe				
32					
3	APPROVED: 3-13-95				
34					

1

2

3