

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 274**

FINAL READING

Introduced by McDonald, 41; Dubas, 34; Hansen, 42; Pedersen, 39;  
Wallman, 30

Read first time January 10, 2007

Committee: Judiciary

A BILL

- 1 FOR AN ACT relating to liquefied petroleum gas; to state intent; to
- 2 require a warning label; to provide for a limitation on
- 3 liability; and to provide an operative date.
- 4 Be it enacted by the people of the State of Nebraska,

1           Section 1. (1) The Legislature finds it is necessary that  
2 a leak check be performed following an interruption of service of  
3 a liquefied petroleum gas vapor service system to ensure safe and  
4 proper operation. Further, the Legislature finds that a leak check  
5 must be performed by a qualified service technician.

6           (2) It is the intent of the Legislature to create a  
7 mechanism that will educate users of liquefied petroleum gas of  
8 the requirements for a leak check when an interruption of service  
9 occurs.

10           (3) For purposes of this section:

11           (a) Interruption of service means the gas supply to a  
12 liquefied petroleum gas vapor service system is turned off;

13           (b) Leak check means an operation performed on a complete  
14 liquefied petroleum gas piping system and the connection equipment  
15 to verify that the liquefied petroleum gas vapor service system  
16 does not leak;

17           (c) Liquefied petroleum gas provider means any person  
18 or entity engaged in the business of supplying, handling,  
19 transporting, or selling at retail liquefied petroleum gas in this  
20 state; and

21           (d) Liquefied petroleum gas vapor service system means  
22 an installation with a maximum operating pressure of one hundred  
23 twenty-five pounds per square inch or less and includes, but is  
24 not limited to, the container assembly, pressure regulator or  
25 regulators, piping system, gas utilization equipment and components

1 thereof, and venting system in residential, commercial, or  
2 institutional installations. Liquefied petroleum gas vapor service  
3 system does not include:

4 (i) Portable liquefied petroleum gas appliances and  
5 equipment of all types that are not connected to a fixed-fuel  
6 piping system;

7 (ii) Farm appliances and equipment in liquid service,  
8 including, but not limited to, brooders, dehydrators, dryers, and  
9 irrigation equipment;

10 (iii) Liquefied petroleum gas equipment for vaporization,  
11 gas mixing, and gas manufacturing;

12 (iv) Liquefied petroleum gas piping for buildings under  
13 construction or renovations that is not to become part of the  
14 permanent building piping system, such as temporary fixed piping  
15 for building heat; or

16 (v) Fuel gas system engines, including, but not limited  
17 to, tractors, mowers, trucks, and recreational vehicles.

18 (4) The liquefied petroleum gas provider shall affix a  
19 container warning label on each tank supplying liquefied petroleum  
20 gas to a liquefied petroleum gas vapor service system. The  
21 container warning label shall be affixed near the tank shutoff.

22 (5) The container warning label required by subsection  
23 (4) of this section shall include this warning:

24 WARNING: Do Not Open Container Shutoff Valve! If this  
25 valve is turned off for any reason, the National Fuel Gas Code

1 (NFPA 54) requires a leak check of the system serviced by the  
2 container at the time the valve is turned back on. The leak  
3 check must be conducted by a qualified service technician. Do Not  
4 Attempt To Open The Valve Yourself! Failure to follow this warning  
5 may result in the ignition of leaking gas, causing serious and  
6 potentially fatal injury, fire, or explosion.

7 The container warning label shall include the statutory  
8 reference to this section.

9 (6) If the container warning label is affixed near the  
10 tank shutoff as required by subsection (4) of this section and  
11 the liquefied petroleum gas vapor service system is turned on  
12 prior to a leak check by a qualified service technician approved  
13 by the liquefied petroleum gas provider, the liquefied petroleum  
14 gas provider shall not be liable for any damage, injury, or  
15 death if the proximate cause of the damage, injury, or death was  
16 the negligence of a person or persons other than the liquefied  
17 petroleum gas provider.

18 Sec. 2. This act becomes operative on July 1, 2008.