

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 274

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;
2 to 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 a
2 leak check be performed following an interruption of service of a
3 liquefied petroleum gas system to ensure safe and proper operation.
4 Further, the Legislature finds that a leak check must be performed by
5 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 the
8 requirements for a leak check when an interruption of service occurs.

9
10 (3) For purposes of this section:

11 (a) Interruption of service means the gas supply to a
12 liquefied petroleum gas 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 to
15 verify that the liquefied petroleum gas system does not leak;

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

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

25 (4) The liquefied petroleum gas provider shall affix a
26 container warning label on each tank supplying liquefied petroleum gas
27 to a liquefied petroleum gas system. The container warning label

1 shall be affixed near the tank shutoff.

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

4 WARNING: Do Not Open Container Shutoff Valve! If this valve
5 is turned off for any reason, the National Fuel Gas Code (NFPA 54)
6 requires a leak check of the system serviced by the container at the
7 time the valve is turned back on. The leak check must be conducted by
8 a qualified service technician. Do Not Attempt To Open The Valve
9 Yourself! Failure to follow this warning may result in the ignition
10 of leaking gas, causing serious and potentially fatal injury, fire,
11 or explosion.

12 (6) If the container warning label is affixed near the tank
13 shutoff as required by subsection (4) of this section and the
14 liquefied petroleum gas system is turned on prior to a leak check by
15 a qualified service technician approved by the liquefied petroleum
16 gas provider, the liquefied petroleum gas provider shall not be
17 liable for any damage, injury, or death resulting from failure to
18 have a leak check performed.

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