

APA-1
07/04

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control No. _____ Department or Agency Alabama Liquefied Petroleum Gas Board
Rule No. 530-X-2-.04
Rule Title: PROCEDURES FOR LIQUEFIED PETROLEUM GAS FILLING STATIONS
_____ New X Amend _____ Repeal _____ Adopt by Reference _____

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? YES

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer Mark Adams

Date 07/08/2015

(DATE FILED)
(STAMP)

ALABAMA LIQUEFIED PETROLEUM GAS BOARD

NOTICE OF INTENDED ACTION

RULE NO. & TITLE:

530-X-2-.04 "PROCEDURES FOR LIQUEFIED PETROLEUM GAS FILLING STATIONS"

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION: To codify minimum requirements for mobile units specially designed and equipped for cylinder filling. This amendment will also clarify that permit holders are to refuse service to customers refusing or lacking the means to transport a cylinder(s) in accordance with adopted codes in the interest of the consumer's safety.

TIME, PLACE, MANNER OF PRESENTING VIEWS: A public hearing will be held October 8, 2015 at 10:00 a.m., at the AUM Center for Lifelong Learning, 75 TechnaCenter Drive, Montgomery, AL 36117.

All interested parties may present their views in writing to the Administrator of the Alabama Liquefied Petroleum Gas Board, P.O. Box 1742, Montgomery, AL 36102-1742, (334-241-8887), or via email at mark.nelson@lpgb.alabama.gov. Individuals may also submit their views at the public hearing.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
October 8, 2015 at the scheduled Public Hearing

CONTACT PERSON AT AGENCY:
Mark Nelson, Administrator
777 S. Lawrence St., Suite 100
Montgomery, AL 36104
Telephone: 334-241-8887
Fax: 334-240-3255
Email: mark.nelson@lpgb.alabama.gov



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board

530-X-2-.04 PROCEDURES FOR LIQUEFIED PETROLEUM GAS FILLING STATIONS. DOT cylinders with a water capacity of less than 250 pounds shall be charged only at bulk storage or cylinder filling plants and not or from mobile units such as delivery trucks, except those vehicles specially designed and equipped for cylinder filling as specified in this regulation, and except those cylinders installed as part of a system using LP Gas as a motor fuel or as a fuel for farm equipment such as flame cultivators. DOT cylinders of 250 water pounds capacity or larger may be charged at the installation from mobile units provided they are equipped with fixed liquid level gauging devices, quick filling valves, and vapor return valves, all of which are of an approved design, in addition to other required or acceptable valves and fittings.

- (a) All DOT cylinders of less than 250 water pound capacity shall be charged by weight only except those cylinders into which is dispensed fuel for motor fuel purposes used on the premises and not transported in commerce as defined by *Code of Federal Regulations Title 49*.
- (b) All retail off-premises cylinder filling stations shall be plainly marked as follows:
- Permit Name of LP Gas Station Owner
 - Board License or Permit Number
 - Emergency Telephone Number
- (c) It shall be the responsibility of permit holders to ensure that only trained, qualified personnel fill LP-gas cylinders or containers. Personnel filling cylinders shall deny service to any customer refusing or lacking the means to transport a cylinder(s) in accordance with LP-gas codes adopted by the Alabama LP-Gas Board.
- (d) All LP-gas motor fuel filling stations shall have a sign displayed that is legible and in plain view of the general public. The sign shall read, "All motor vehicles licensed in Alabama that use LP-gas as a motor fuel are required by law to have displayed, a current LP-gas motor fuel decal purchased through the Alabama LP-Gas Board. The price of the decal covers the Alabama Motor Fuel Tax for the year of issuance. Operation of an LP-gas powered vehicle licensed in Alabama, upon the public roads and highways of Alabama, without the required decal constitutes a Class B misdemeanor (*Code of Alabama, 1975 Section 40-17-161*).
- (e) Mobile units specially designed for cylinder filling must be equipped as follows:
1. The mobile unit must be equipped with a single delivery hose not exceeding twenty-five (25) feet in length.
 2. There must be an excess-flow valve installed at the delivery hose-to-pipe connection with a flow rate not exceeding twenty-five (25) gallons per minute.
 3. For the filling of other than motor fuel cylinders, properly functioning scales must be present for use.
 4. All electrical wiring and components must comply with *NFPA 70 National Electrical Code* or *Code of Federal Regulations Title 49 (CFR 49)*, whichever is applicable.
 5. Points of transfer must be in compliance with the edition of *NFPA 58 LP-Gas Code* currently adopted by the board.