

Act No. 43
Public Acts of 1991
Approved by the Governor
June 26, 1991
Filed with the Secretary of State
June 27, 1991

**STATE OF MICHIGAN
86TH LEGISLATURE
REGULAR SESSION OF 1991**

Introduced by Senators Dunaskiss, Barcia and Emmons

ENROLLED SENATE BILL No. 164

AN ACT to amend sections 1, 2, and 5 of Act No. 319 of the Public Acts of 1929, entitled "An act to regulate the use, handling, storage and sale of fuel oil, and the arrangement, design, construction and installation of burners, tanks and other equipment for the burning of fuel oil for heating purposes in cities and villages adopting the provisions of this act," being sections 125.551, 125.552, and 125.555 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Sections 1, 2, and 5 of Act No. 319 of the Public Acts of 1929, being sections 125.551, 125.552, and 125.555 of the Michigan Compiled Laws, are amended to read as follows:

Sec. 1. This act shall be in force and effect in cities and villages that, by a majority vote of the legislative body of the city or village, adopt its provisions. This act as it relates to the storage, handling, and sale of fuel oil applies only to the use of fuel oil for oil burners as specified in this act.

Sec. 2. For the purposes of this act:

(a) "Fuel oil" means any liquid as specified by the American standard of testing materials D-396-89A (1989) and used as fuel that has a flash point of not less than 100 degrees Fahrenheit.

(b) "Fuel oil burners" means any device, including burners, motors, piping, valves, and other equipment designed and arranged for the purpose of burning fuel oil for heating purposes.

(c) "Tank" means any container for fuel oil, having a capacity of more than 25 gallons and directly or indirectly connected with fuel oil burners.

(d) "Auxiliary tank" means any tank that has a capacity that does not exceed 60 gallons and is between the storage tank and the burner that delivers oil by gravity or pressure to the fuel oil burner or blower.

(e) "Storage tank" means any tank for the storage of oil, connected through an approved means of suction feed, directly to the fuel oil burner or indirectly connected to the fuel oil burner through approved auxiliary tank.

(f) "Department of buildings and safety engineering" means the department of buildings and safety engineering of a city or village, or another department designated by the legislative body of a city or village.

(g) "Bureau of safety engineering" means the bureau of safety engineering of the department of buildings and safety engineering of a city or village, or another bureau designated by the legislative body of a city or village.

Sec. 5. Fuel oil or any other oil or liquid used for equipment installed under this act shall have a flash point of not less than 100 degrees Fahrenheit as determined by an appropriate closed cup tester method specified in the American standards of testing materials standard for fuel oil. In determining the flash point of oil, a tester as required by the department of buildings and safety engineering shall be authoritative. Fuel oil shall not be mixed or blended except at a storage plant under competent supervision, and waste oil shall not be used except with the approval of the bureau of safety engineering.

This act is ordered to take immediate effect.

.....
Secretary of the Senate.

.....
Clerk of the House of Representatives.

Approved

.....
Governor.