

SENATE BILL No. 164

March 12, 1991, Introduced by Senators DUNASKISS, BARCIA and EMMONS and referred to the Committee on Technology and Energy.

A bill 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:

1 Section 1. Sections 1, 2, and 5 of Act No. 319 of the
2 Public Acts of 1929, being sections 125.551, 125.552, and 125.555
3 of the Michigan Compiled Laws, are amended to read as follows:
4 Sec. 1. This act shall be in force and effect in ~~such~~
5 cities and villages ~~as may~~ THAT, by a majority vote of the
6 legislative body ~~thereof~~ OF THE CITY OR VILLAGE, adopt its
7 provisions. ~~The provisions of this act relative~~ THIS ACT AS IT

1 RELATES to the storage, handling, and sale of fuel oil ~~having a~~
2 ~~flash point above 130 degrees Fahrenheit, shall apply~~ APPLIES
3 only to the use of ~~such~~ fuel oil for oil burners as ~~is~~ speci-
4 fied ~~herein~~ IN THIS ACT.

5 Sec. 2. For the purposes of this act:

6 (a) "Fuel oil" ~~shall mean~~ MEANS any liquid AS SPECIFIED BY
7 THE AMERICAN STANDARD OF TESTING MATERIALS D-396-89A (1989) AND
8 used as fuel ~~and having~~ THAT HAS a flash point ~~above 130~~ OF
9 NOT LESS THAN 100 degrees Fahrenheit. ~~+~~

10 (b) "Fuel oil burners" ~~shall mean~~ MEANS any device,
11 including burners, motors, piping, valves, and other equipment
12 designed and arranged for the purpose of burning fuel oil for
13 heating purposes. ~~+~~

14 (c) "Tank" ~~shall mean~~ MEANS any container for ~~such~~ fuel
15 oil, having a capacity of more than 25 gallons and directly or
16 indirectly connected with ~~such~~ fuel oil burners. ~~+~~

17 (d) "Auxiliary tank" ~~shall mean~~ MEANS any tank THAT HAS A
18 CAPACITY THAT DOES NOT EXCEED 60 GALLONS AND IS between the stor-
19 age tank and the burner ~~delivering~~ THAT DELIVERS oil by gravity
20 or pressure to the fuel oil burner or blower. ~~+~~

21 (e) "Storage tank" ~~shall mean~~ MEANS any tank for the stor-
22 age of oil, connected through ~~some~~ AN approved means of suction
23 feed, directly to the fuel oil burner or indirectly connected to
24 the fuel oil burner through approved auxiliary tank. ~~+~~

25 (f) "Department of buildings and safety engineering" ~~shall~~
26 ~~mean~~ MEANS the department of buildings and safety engineering of

1 ~~such~~ A city, or ~~such other~~ ANOTHER department ~~as may be~~
2 designated by the legislative body ~~thereof,~~ OF A CITY.

3 (g) "Bureau of safety engineering" ~~shall mean~~ MEANS the
4 bureau of safety engineering of the department of buildings and
5 safety engineering of ~~such~~ A city, or ~~such other~~ ANOTHER
6 bureau ~~as may be~~ designated by the legislative body ~~thereof~~
7 OF A CITY.

8 Sec. 5. Fuel oil OR ANY OTHER OIL OR LIQUID USED for equip-
9 ment installed under this act shall have a flash point of not
10 less than ~~130~~ 100 degrees Fahrenheit ~~and no oil or liquid may~~
11 ~~be used, which when tested in the open air at a temperature below~~
12 ~~130 degrees Fahrenheit, or below 125 degrees Fahrenheit when~~
13 ~~tested~~ AS DETERMINED in a TAGLIABUE closed cup tester. ~~, gives~~
14 ~~forth inflammable vapor or gas.~~ In determining the flash point
15 of oil, a tester as required by the department of buildings and
16 safety engineering shall be authoritative. Fuel oil shall not be
17 mixed or blended except at a storage plant under competent super-
18 vision, ~~nor shall~~ AND waste oil SHALL NOT be used except with
19 the approval of the bureau of safety engineering.