

SUBSTITUTE FOR
SENATE BILL NO. 927

A bill to amend 1959 PA 241, entitled

"An act relating to the marking of containers used for liquefied petroleum or carbonic gas; to prohibit the defacing, erasing or other removal of such mark, and the filling, refilling, trafficking in or use of such containers without the authority of the owner; and to provide a penalty for the violation thereof,"

by amending the title and section 2 (MCL 429.112).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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TITLE

An act relating to the marking of **STATIONARY** containers used for liquefied petroleum or carbonic gas; to prohibit the defacing, erasing, or other removal of ~~such mark, and~~ **THOSE MARKS; TO PROHIBIT** the filling, refilling, trafficking in, or use of ~~such~~ **THOSE** containers without ~~the~~ authority; ~~of the owner, and to provide a penalty for the violation thereof~~ **TO PROVIDE FOR THE**

1 POWERS AND DUTIES OF CERTAIN STATE OFFICERS; TO PROHIBIT VIOLATIONS
2 AND PRESCRIBE PENALTIES; AND TO PROVIDE REMEDIES.

3 Sec. 2. (1) ~~No~~ EXCEPT AS PROVIDED IN SUBSECTION (4), A
4 person ~~except the owner thereof or persons authorized in writing~~
5 ~~by the owner shall fill or refill with~~ **SHALL NOT TRANSFER**
6 liquefied petroleum or carbonic gas, or any other gas or compound,
7 **OUT OF OR INTO** a **STATIONARY** liquefied petroleum or carbonic gas
8 container ~~or buy~~, **WITHOUT THE WRITTEN AUTHORIZATION OF THE**
9 **OWNER OF THE CONTAINER.**

10 (2) **A PERSON SHALL NOT** sell, offer for sale, give, take, loan,
11 deliver, ~~or permit to be delivered~~, or otherwise dispose of or
12 traffic in a **STATIONARY** liquefied petroleum or carbonic gas
13 container or containers unless the **SURFACE OF THE** container ~~shall~~
14 ~~bear upon the surface thereof~~ **IS MARKED** in plainly legible
15 characters **WITH** the name, initials, mark, or other device of the
16 owner. ~~nor shall any~~

17 (3) **A** person, other than the owner of a **STATIONARY** liquefied
18 petroleum or carbonic gas container or a person authorized in
19 writing by the owner, **SHALL NOT** deface, erase, obliterate, cover
20 up, or otherwise remove or conceal any name, mark, initial, or
21 device ~~thereon~~ **MARKED ON THE SURFACE OF THE CONTAINER.**

22 (4) **AN INDIVIDUAL TRANSFERRING LIQUEFIED PETROLEUM OR CARBONIC**
23 **GAS, OR ANY OTHER GAS OR COMPOUND, OUT OF OR INTO A STATIONARY**
24 **LIQUEFIED PETROLEUM OR CARBONIC GAS CONTAINER SHALL COMPLY WITH ANY**
25 **RULES PROMULGATED BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY UNDER**
26 **SECTION 3C(2) OF THE FIRE PREVENTION CODE, 1941 PA 207, MCL 29.3C.**

27 Enacting section 1. This amendatory act takes effect July 1,

1 2006.

2 Enacting section 2. This amendatory act does not take effect
3 unless Senate Bill No. 928 of the 93rd Legislature is enacted into
4 law.