

# SENATE BILL No. 927

December 8, 2005, Introduced by Senator ALLEN and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

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:

### 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 POWERS AND DUTIES OF CERTAIN STATE OFFICERS; TO PROHIBIT VIOLATIONS**

1 AND PRESCRIBE PENALTIES; AND TO PROVIDE REMEDIES.

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

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

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

21 (4) AN INDIVIDUAL SHALL NOT TRANSFER LIQUEFIED PETROLEUM OR  
22 CARBONIC GAS, OR ANY OTHER GAS OR COMPOUND, OUT OF OR INTO A  
23 STATIONARY LIQUEFIED PETROLEUM OR CARBONIC GAS CONTAINER UNLESS HE  
24 OR SHE IS TRAINED IN PROPER HANDLING AND OPERATING PROCEDURES IN  
25 ACCORDANCE WITH RULES PROMULGATED BY THE DEPARTMENT OF  
26 ENVIRONMENTAL QUALITY.

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

4 of the 93rd Legislature is enacted into law.