

# HOUSE BILL No. 5367

September 15, 2009, Introduced by Reps. Horn, Polidori, LeBlanc, Sheltroun, Hansen, Neumann, Crawford, Kowall, Genetski, Schuitmaker, Moore, Daley, Opsommer, Rick Jones, Gonzales, Slezak, Roy Schmidt, Liss, Huckleberry, Wayne Schmidt, Haase and Cushingberry and referred to the Committee on Regulatory Reform.

A bill to amend 1959 PA 241, entitled

"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 those marks; to prohibit the filling, refilling, trafficking in, or use of those containers without authority; to provide for the powers and duties of certain state officers; to prohibit violations and prescribe penalties; and to provide remedies,"

by amending section 2 (MCL 429.112), as amended by 2006 PA 504.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           Sec. 2. (1) Except as **OTHERWISE** provided in **RULES DESCRIBED IN**  
2 subsection (4), a person shall not transfer liquefied petroleum or  
3 carbonic gas, or any other gas or compound, out of or into a  
4 stationary liquefied petroleum or carbonic gas container without  
5 the written authorization of the owner of the container.

6           (2) A person shall not sell, offer for sale, give, take, loan,

1 deliver, or otherwise dispose of or traffic in a stationary  
2 liquefied petroleum or carbonic gas container or containers unless  
3 the surface of the container is marked in plainly legible  
4 characters with the name, initials, mark, or other device of the  
5 owner.

6 (3) A person, other than the owner of a stationary liquefied  
7 petroleum or carbonic gas container or a person authorized in  
8 writing by the owner, shall not deface, erase, obliterate, cover  
9 up, or otherwise remove or conceal any name, mark, initial, or  
10 device marked on the surface of the container.

11 (4) An individual transferring liquefied petroleum or carbonic  
12 gas, or any other gas or compound, out of or into a stationary  
13 liquefied petroleum or carbonic gas container shall comply with any  
14 rules promulgated ~~by the department of environmental quality~~ under  
15 section 3c(2) of the fire prevention code, 1941 PA 207, MCL 29.3c.

16 Enacting section 1. This amendatory act does not take effect  
17 unless Senate Bill No. \_\_\_\_ or House Bill No. 5366(request no.  
18 04645'09) of the 95th Legislature is enacted into law.