



**Senate Fiscal Agency**  
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House Bill 4792 (Substitute S-1 as reported)  
Sponsor: Representative Beau Matthew LaFave  
House Committee: Commerce and Tourism  
                                Ways and Means  
Senate Committee: Natural Resources

## CONTENT

The bill would amend Part 211 (Underground Storage Tank Regulations) of the Natural Resources and Environmental Protection Act to do the following:

- Allow an owner or operator to operate an unattended self-service motor fuel dispensing facility if the owner or operator notified the local fire department and if the Department of Licensing and Regulatory Affairs (LARA) approved the facility.
- Require LARA to inspect and approve or disapprove a facility within 60 days after a request was made.
- Require LARA to approve the facility if certain requirements were met.
- Require the owner or operator of a facility to visit the site each day and regularly inspect and maintain the equipment.
- Prohibit LARA from requiring a facility to limit public access to or dispensing from fuel dispensers by using locked dispenses, security fencing, or other means except for means that required payment when fuel was dispensed.
- Specify that the bill would not apply to a facility that was operated as a membership-based fuel co-op or dispensed fuel from above-ground tanks, and met applicable standards under the Fire Prevention Code
- Specify that the bill would not preempt local ordinance that prohibited unattended self-service motor fuel dispensing facilities.

(Note: the Act refers to the Department of Environmental Quality, now the Department of Environment, Energy, and the Great Lakes; however, regulatory authority for underground storage tanks was transferred to LARA under Executive Order 2012-14.)

MCL 324.21106

Legislative Analyst: Dana Adams

## **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Date Completed: 9-29-20

Fiscal Analyst: Elizabeth Raczkowski