

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 93

BY BUSINESS COMMITTEE

AN ACT

1 RELATING TO LIQUEFIED PETROLEUM GAS; AMENDING CHAPTER 53, TITLE 54, IDAHO  
2 CODE, BY THE ADDITION OF A NEW SECTION 54-5318, IDAHO CODE, TO PROVIDE  
3 THAT NO PERSON OTHER THAN THE OWNER OF A LIQUEFIED PETROLEUM GAS CON-  
4 TAINER MAY FILL, REFILL, EVACUATE OR USE THE CONTAINER, TO PROVIDE EX-  
5 CEPTIONS AND TO PROVIDE PENALTIES.  
6

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Chapter 53, Title 54, Idaho Code, be, and the same is  
9 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
10 ignated as Section 54-5318, Idaho Code, and to read as follows:

11 54-5318. FILLING, EVACUATING AND USE OF LIQUEFIED PETROLEUM GAS CON-  
12 TAINERS. (1) Except as provided for in subsection (2) of this section, no  
13 person other than the owner or lessor of an LPG container or a person or LPG  
14 dealer practice authorized by the owner or lessor of an LPG container may  
15 fill, refill, evacuate or use the container for any purpose.

16 (2) An LPG dealer practice may evacuate an LPG container not under its  
17 ownership in order to transfer the remaining liquefied petroleum gas that is  
18 in the container into a container that is under its ownership.

19 (3) The prohibition in subsection (1) of this section shall not apply to  
20 LPG containers with a capacity of less than one hundred (100) pounds.

21 (4) Anyone in violation of this section shall be liable in an action by  
22 the owner or lessor of the LPG container for actual damages, including inci-  
23 dental and consequential damages and attorney's fees, or five hundred dol-  
24 lars (\$500) for each violation, whichever is greater.