WEST virginia legislature

2024 regular session

Committee Substitute

for

Senate Bill 853

By Senator Rucker

[Originating in the Committee on Energy, Industry, and Mining; reported February 23, 2024]

A BILL to amend and reenact §15A-10-15 of the Code of West Virginia, 1931, as amended, relating to the performance of installation of fuel gas systems; directing the Fire Commission to propose rules for legislative approval for the installation of propane fuel tanks at certain dwellings; providing for the State Fire Marshal to enforce propane fuel tank rules; and defining "propane fuel tanks".

Be it enacted by the Legislature of West Virginia:

Article 10. Fire Marshal.

§15A-10-15. Performance of installation of ~~propane~~ fuel gas systems.

(a) Notwithstanding any statutory or regulatory provisions to the contrary, any person who installs, fuels, maintains, or services any fuel gas system to a one- or two-family dwelling shall comply with rules promulgated by the Fire Commission relating to fuel gas systems.

(b) This section does not apply to any person who performs this work on a single-family dwelling, owned or leased, and occupied by that person. The personal exemption provided in this subsection is the same as the personal exemption provided in §29-3D-1 *et seq*. of this code.

(c) The Fire Commission shall propose rules for legislative approval in accordance with the provisions of §29A-3-1 *et seq.* of this code governing the installation of propane fuel tanks at single and multi-family dwellings. The rules shall be enforceable by the State Fire Marshal.

~~(c)~~ (d) Use of, refilling of, or work upon a liquefied petroleum gas container without the consent of the tank owner is prohibited.

~~(d)~~ (e) No person shall sell, install, fill, refill, deliver or permit to be delivered, or use in any manner any liquefied petroleum gas container unless the container is owned by the person, or its use is authorized by its owner.

~~(e)~~ (f) For purposes of this section, "liquefied petroleum gas" means propane and/or predominantly a mixture of propane and butane.

(g) For purposes of this section, "propane fuel tanks" means tanks containing propane or predominantly a mixture of propane and butane in excess of 250 pounds, the primary purpose of which is to deliver fuel to a single or multi-family residential dwelling.