

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2329 Session of
1982

INTRODUCED BY WILSON AND GREENWOOD, MARCH 3, 1982

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, MARCH 3, 1982

AN ACT

1 Amending the act of April 27, 1927 (P.L.450, No.291), entitled,
2 as amended, "An act relating to fires and fire prevention;
3 imposing duties and conferring powers upon the Pennsylvania
4 State Police; authorizing the appointment of the chiefs of
5 fire departments and certain public officers and others as
6 assistants to the Pennsylvania State Police, and defining
7 their powers and duties; providing for the investigation of
8 the cause, origin, and circumstance of fires and the
9 inspection of all, and the removal or change of, certain
10 buildings by owners and occupants thereof, including
11 political subdivisions; imposing duties on school authorities
12 and on certain corporations, associations, and fire rating
13 agencies; providing for the attendance of witnesses before
14 the Pennsylvania State Police, and the enforcement of its
15 orders; and prescribing penalties," providing for the
16 residential storage of kerosene, fuel oil and diesel fuel.

17 The General Assembly of the Commonwealth of Pennsylvania
18 hereby enacts as follows:

19 Section 1. Section 1, act of April 27, 1927 (P.L.450,
20 No.291), referred to as the State Fire Marshal Law, amended
21 February 17, 1972 (P.L.72, No.24), is amended to read:

22 Section 1. [Be it enacted, &c., That the] (a) The
23 Commissioner of the Pennsylvania State Police may appoint and
24 remove the chief of the fire department of any county, city,

1 borough, town, or township or individual citizens as assistants
2 to the department, and, when so appointed, shall be subject to
3 the obligations imposed by this act and to the authority of the
4 Pennsylvania State Police.

5 (b) The Pennsylvania State Police may adopt and enforce
6 rules and regulations governing the having, using, storage,
7 sale, and keeping of gasoline, naphtha, kerosene, fuel oil, or
8 other substance of like character. These regulations shall not
9 prohibit the storage of no more than two hundred seventy-five
10 gallons of kerosene, fuel oil or diesel fuel on the premises of
11 a one to three-family residential dwelling where the storage
12 site is at least twenty feet from the dwelling, providing that
13 the requirements of subsection (c) have been met.

14 (c) (1) Any person who desires to store kerosene, fuel oil
15 or diesel fuel for his personal or residential use in an amount
16 to exceed ten gallons shall first obtain a permit from the local
17 fire protection agency. Application for this permit shall be
18 made on a form as prescribed by the State Fire Marshal.

19 (2) The kerosene, fuel oil or diesel fuel shall be stored in
20 a container which shall rest directly on a suitable foundation
21 or supports of concrete, masonry or steel so as to be free from
22 the danger of any accidental spillage or tipping.

23 (3) The container shall have its opening located only on the
24 top.

25 Section 2. This act shall take effect in 60 days.