

# SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

**BILL NO.** House Bill 728

**PRINTER'S NO.** 3576

**AMOUNT**

No Fiscal Impact

**FUND**

General Fund

**DATE INTRODUCED**

February 16, 2011

**PRIME SPONSOR**

Representative Barrar

**HISTORY OF BILL**

Referred to VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, Feb. 16, 2011

Reported as committed, March 1, 2011

First consideration, March 1, 2011

Laid on the table, March 1, 2011

Removed from table, April 5, 2011

Second consideration, April 6, 2011

Re-committed to APPROPRIATIONS, April 6, 2011

Re-reported as committed, April 11, 2011

Third consideration and final passage, April 11, 2011 (192-4)

(Remarks see House Journal Page 586), April 11, 2011

In the Senate

Referred to LABOR AND INDUSTRY, April 13, 2011

Reported as amended, May 22, 2012

First consideration, May 22, 2012

Re-referred to APPROPRIATIONS, June 19, 2012

Re-reported as committed, June 25, 2012

**DESCRIPTION AND PURPOSE OF BILL**

House Bill 728 amends the Combustible and Flammable Liquids Act to establish new standards for emergency controls and electrical disconnects for fuel dispensing systems. The bill requires one or more clearly identified emergency shut-off device(s) or electrical disconnect(s) for fuel dispensing systems. It requires placement of the devices or disconnects not less than twenty feet or more than 100 feet from the fuel dispensing devices that they serve. The shut-off devices or disconnects must also be no more than 200 feet from the master control shut-off device.

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The emergency shut-off devices or electrical disconnects must shut off power to all dispensing devices; all remote pumps serving the dispensing devices; all associated power, control and signal circuits; and all other electrical equipment in hazardous locations.

The legislation specifies that when more than one shut-off device or electrical disconnect are provided, all devices must be interconnected and resetting them must require manual intervention. There must be a master control emergency shut-off device within fifteen feet of the location of the principal attendant. If the facility is unattended, the shut-off device must be readily accessible to patrons. The bill requires that dispensing devices and individuals dispensing fuel be in clear view of the attendant.

For attended self-service motor fuel dispensing facilities, there must be at least one attendant present when the facility is open. The duties and responsibilities of the attendant are specified and the legislation requires that the attendant be mentally and physically capable of performing such duties.

The provisions in the bill only apply to any new modification, construction or installation of fuel dispensing systems and their components that dispense fuel. But it requires an attendant at a self-service motor fuel dispensing facility to abide by the responsibilities prescribed in the act. Existing fuel dispensing facilities are not required to install additional emergency shut-off devices or electrical disconnects if the primary shut-off switch is not more than 15 feet from the principal control location of the attendant and not more than 125 feet from the farthest motor fuel dispensing device.

The bill prohibits the use or operation of any of the emergency controls or electrical disconnects to control the dispensing devices for any other purpose than an emergency. However, an attendant may use or operate the devices for security or antitheft purposes.

The act takes effect immediately.

### **FISCAL IMPACT:**

The Department of Labor & Industry has confirmed that the provisions of this bill will have no fiscal impact on their flammable and combustible liquids enforcement program.