

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 47

Session of  
1995

INTRODUCED BY GEIST, DEMPSEY, D. R. WRIGHT, LYNCH, HENNESSEY,  
FARMER, CLARK, E. Z. TAYLOR, McCALL, TRELLO, MICHLOVIC,  
MARKOSEK, DeLUCA, CIVERA, DERMODY, EGOLF, FARGO, STERN,  
KAISER, FAIRCHILD, COY, RAYMOND, WOZNIAK, PRESTON, STAIRS,  
PETTIT, ROBERTS, BELFANTI, MERRY, LEH, SAYLOR, SEMMEL,  
CAPPABIANCA AND MANDERINO, FEBRUARY 7, 1995

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF  
REPRESENTATIVES, AS AMENDED, APRIL 24, 1995

## 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 certain  
16 gasoline dispensing nozzles at self-service stations and for  
17 ~~a recommendation regarding splashback prevention devices.~~ <—

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

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

23 Section 1. (a) Be it enacted, &c., That the Commissioner of

1 the Pennsylvania State Police may appoint and remove the chief  
2 of the fire department of any county, city, borough, town, or  
3 township or individual citizens as assistants to the department,  
4 and, when so appointed, shall be subject to the obligations  
5 imposed by this act and to the authority of the Pennsylvania  
6 State Police.

7 (b) The Pennsylvania State Police may adopt and enforce  
8 rules and regulations governing the having, using, storage,  
9 sale, and keeping of gasoline, naphtha, kerosene, fuel oil, or  
10 other substance of like character.

11 (c) The Pennsylvania State Police shall permit attended  
12 self-service gasoline stations to use approved hold-open <—  
13 gasoline dispensing nozzles PROVIDED THAT THE NOZZLES MEET <—  
14 SAFETY STANDARDS ADOPTED BY REGULATION BY THE PENNSYLVANIA STATE  
15 POLICE. Signs shall be posted indicating that any person, other  
16 than the attendant, who uses a hold-open gasoline dispensing  
17 nozzle shall remain at the refueling point during the refueling  
18 operation.

19 ~~(d) The Pennsylvania State Police shall recommend that every~~ <—  
20 ~~self-service gasoline station equip each of its retail~~  
21 ~~dispensing nozzles with approved rubber or plastic anti-~~  
22 ~~splashback devices to prevent splashback occurrences during the~~  
23 ~~dispensing of gasoline by consumers.~~

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