

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

SENATE BILL 1339

By: Littlefield

AS INTRODUCED

An Act relating to aboveground storage tanks; amending 74 O.S. 2001, Section 324.7, which relates to regulation of flammable liquids; updating statutory language; providing for regulation of certain flammable liquids by the Corporation Commission pursuant to certain state minimum standards and rules promulgated by the Fire Marshal Commission; modifying definitions; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 74 O.S. 2001, Section 324.7, is amended to read as follows:

Section 324.7 A. Except as otherwise specified by subsection B of this section, the State Fire Marshal Commission shall have the power and duty to ~~prescribe, adopt, and promulgate,~~ in the manner set forth in this act, such ~~reasonable rules, regulations, or specifications~~ consistent with nationally recognized codes, standards, or practices on matters relating to the safeguarding of life and property from the hazards of fire and explosion arising from storage, handling, transportation, and use of flammable and combustible materials, and from conditions hazardous to life or property in the use or occupancy of buildings or premises, as are deemed just and reasonable and in accordance with nationally recognized standards, and not inconsistent with this act, and to revoke, amend, or supersede the same. For the purpose of this act, standards published by the National Fire Protection Association shall be deemed as meeting the intent of this act. Exceptions to these standards shall be granted to detention and correction

facilities in existence on November 1, 1985, when noncompliance would not result in a life-threatening condition to inmates incarcerated in such facilities. All such rules, ~~regulations, and specifications~~ or any revisions or amendments thereto shall not become effective until promulgated in accordance with the provisions of the Administrative Procedures Act.

B. 1. Liquefied petroleum gas defined by Section 420.1 of Title 52 of the Oklahoma Statutes shall be regulated by the Oklahoma Liquefied Petroleum Gas Board.

2. Flammable liquids stored in tanks ~~at service stations~~ shall be regulated by the Corporation Commission and shall comply with state minimum standards set by rules promulgated by the Fire Marshal Commission.

a. For the purpose of this section:

(1) "flammable liquids" means all petroleum products used as motor fuel and all grades of gasoline, kerosene, diesel fuel and aviation fuel having a vapor pressure not exceeding forty (40) pounds per square inch absolute at one hundred (100) degrees Fahrenheit; and

(2) ~~"service station" means any facility including but not limited to businesses serving the public, marinas and airports where flammable liquids are stored in aboveground tanks and dispensed for retail sales into the fuel tanks of airplanes, vessels or motor vehicles of the public; and~~

~~(3)~~ "aboveground tank" means any stationary vessel ~~at a service station and is~~ located above the surface of the ground or on the ground which is designed to contain an accumulation of flammable liquids and which is constructed of nonearthen materials that provide structural support.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

48-2-2200

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