

1 ENGROSSED SENATE
2 BILL NO. 1613

By: Green of the Senate

3 and

4 Cornwell of the House

5
6
7 An Act relating to liquefied petroleum gas;
8 authorizing certain investigations; requiring
9 notifications of certain accidents or fires;
10 requiring notification be sent within certain time
11 frame; amending 52 O.S. 2021, Section 420.2, which
12 relates to the State Liquefied Petroleum Gas
13 Administrator; removing certain appointed position;
14 amending 52 O.S. 2021, Section 420.3, which relates
15 to the Oklahoma Liquefied Petroleum Gas Board;
16 modifying statutory references; modifying types of
17 meetings that can be designated; requiring meetings
18 adhere to the Oklahoma Open Meeting Act; making
19 language gender neutral; amending 52 O.S. 2021,
20 Section 420.4, as amended by Section 1, Chapter 330,
21 O.S.L. 2022 (52 O.S. Supp. 2025, Section 420.4),
22 which relates to registration permits; modifying
23 statutory references; modifying list of permit
24 classes; amending 52 O.S. 2021, Section 420.5, as
amended by Section 2, Chapter 330, O.S.L. 2022 (52
O.S. Supp. 2025, Section 420.5), which relates to
fees for refillable cylinders; requiring fees be used
for certain purpose; modifying list of entities
required to pay fee; removing language regarding
refunds of credit fees; authorizing the Board to
promulgate certain administrative rules; requiring
flat fee for certain containers; defining term;
authorizing Administrator to adopt certain system;
authorizing assessment of certain penalty; amending
52 O.S. 2021, Section 420.7, which relates to
inspections; modifying reference to certain appointed
position; requiring certain law enforcement
certification for certain position; amending 52 O.S.
2021, Section 420.9, as amended by Section 3, Chapter
330, O.S.L. 2022 (52 O.S. Supp. 2025, Section 420.9),
which relates to specifications for commercial

1 propane, butane, and mixtures; removing certain
2 requirements for filling, using, and identifying
3 containers; requiring certain identifying marks on
4 containers; requiring certain authorizations;
5 updating statutory language and references; providing
6 for codification; and providing an effective date.

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

8 SECTION 1. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 420.18 of Title 52, unless there
10 is created a duplication in numbering, reads as follows:

11 The Liquefied Petroleum Gas Administration shall have the right
12 to conduct thorough investigations of liquefied petroleum gas
13 accidents or fires in this state. In case of an accident or fire at
14 any location where there is a liquefied petroleum gas system or
15 equipment, or in the case of any accident or fire where a liquefied
16 petroleum gas system or equipment is or may be involved, the State
17 Fire Marshal, the sheriff of the county, and the chief of the fire
18 department, or the mayor if no fire department exists, shall notify
19 the Liquefied Petroleum Gas Administration of such accident or fire
20 immediately at the time they become aware of same. In no event
21 shall this notification be forwarded later than one (1) business day
22 after knowledge of the accident or fire is obtained, in order to
23 enable an investigation to be made by the Liquefied Petroleum Gas
24 Administration before the site has been disturbed.

1 SECTION 2. AMENDATORY 52 O.S. 2021, Section 420.2, is
2 amended to read as follows:

3 Section 420.2. A. There is hereby created a State Liquefied
4 Petroleum Gas Administrator, to be appointed by the Governor from a
5 list of nominees submitted by the Oklahoma Liquefied Petroleum Gas
6 Board, hereinafter created. The appointment shall be subject to
7 confirmation by the Senate. The Administrator shall:

8 1. Receive a salary to be established by the Oklahoma Liquefied
9 Petroleum Gas Board;

10 2. Act in no other official or quasi-official capacity except
11 as herein provided; and

12 3. Serve at the pleasure of the Governor.

13 B. The Administrator, subject to approval of the Board, shall
14 appoint and fix the duties and compensation of employees necessary
15 to perform the duties imposed upon the Oklahoma Liquefied Petroleum
16 Gas Board by law.

17 C. 1. Persons appointed to the positions of Administrator,
18 ~~chief deputy administrator,~~ deputy administrator, or safety code
19 enforcement officer shall:

20 a. be citizens of the United States,

21 b. be legal residents of this state,

22 c. be physically, mentally, and morally capable of
23 performing the duties imposed upon them pursuant to
24 the Oklahoma Liquefied Petroleum Gas Regulation Act,

1 d. not have been convicted of a felony in this state or
2 any other state as established by a national criminal
3 history record check as defined in Section 150.9 of
4 Title 74 of the Oklahoma Statutes, and

5 e. after the date of their appointment, not be engaged in
6 any business in this state related to the production,
7 manufacture, distribution, sale, installation, or
8 transportation of any of the products or equipment
9 covered by the Oklahoma Liquefied Petroleum Gas
10 Regulation Act.

11 2. Each appointee shall, by education, training and experience,
12 be qualified and competent to perform the duties imposed upon them
13 pursuant to the Oklahoma Liquefied Petroleum Gas Regulation Act,
14 which for:

15 a. the Administrator shall include at least two (2)
16 years' experience in positions of managerial
17 responsibility or two (2) years' experience as a
18 liquefied petroleum gas safety code enforcement
19 officer,

20 b. the ~~chief deputy administrator and deputy~~
21 ~~administrators~~ administrator shall include at least
22 one and one-half (1 1/2) years of such experience, and

23 c. the safety code enforcement officers shall include at
24 least two (2) years' experience in actual physical

1 installation or inspection of liquefied petroleum gas
2 systems, containers, apparatus, or appliances, or
3 installations thereof, and/or the ability to enforce
4 the rules and regulations.

5 3. Before entering upon their duties, appointees shall take the
6 constitutional oath of office.

7 D. In the event of a vacancy in the office of Administrator, or
8 in the event of the absence or disability of the Administrator, the
9 chief deputy administrator is hereby empowered and authorized to
10 perform the duties of the Administrator during the time of such
11 vacancy, absence or disability.

12 SECTION 3. AMENDATORY 52 O.S. 2021, Section 420.3, is
13 amended to read as follows:

14 Section 420.3. A. There is hereby re-created the Oklahoma
15 Liquefied Petroleum Gas Board, hereinafter sometimes referred to as
16 "LP-Gas Board" or "Board". The Board shall be composed of seven (7)
17 members, one each from the southeastern, northeastern, northwestern
18 and southwestern quarters of the state, one from central Oklahoma,
19 and two from the state at large. Each appointment shall be made by
20 the Governor, from a list of three or more nominees who have
21 certified in writing their willingness to serve, to be submitted to
22 him or her by the persons, firms, or corporations required to be
23 registered pursuant to the provisions of ~~Sections~~ Section 420.1
24

1 ~~through 420.15~~ et seq. of this title, or by their representatives,
2 and shall be subject to confirmation by the Senate.

3 B. No person shall be appointed as a member of the Board unless
4 at the time of his or her appointment he or she has been a legal
5 resident of the State of Oklahoma for at least five (5) years
6 preceding the date of his or her appointment and, except for the two
7 members at large, shall have actively engaged in the retail
8 distribution of liquefied petroleum gas in Oklahoma for a period of
9 one (1) year, or more. One of the members at large shall be engaged
10 in and representative of the container and appliance phases of the
11 LPG business in Oklahoma, and the other shall have a general
12 familiarity with the regulatory problems of the industry and the
13 consuming public. Provided, however, that the appointment of such
14 public member shall not be subject to the aforementioned list which
15 is required to be submitted to the Governor. Members shall be
16 eligible for reappointment for successive terms, and shall be
17 removable for cause by the Governor. A member shall automatically
18 be disqualified to hold such office in event he or she ceases to be
19 a legal resident of the State of Oklahoma or ceases to be actively
20 engaged in the LPG business in Oklahoma.

21 C. Re-creation shall not alter existing membership or terms of
22 office. Members shall serve until their successors in office are
23 duly appointed and qualified. Initial appointments of those members
24 of the Board from the designated geographical areas of the state

1 shall be for terms ranging from one (1) year to five (5) years, the
2 Governor to designate same, and the initial terms of office of the
3 members at large on the Board shall be for one (1) year and two (2)
4 years, respectively, as designated by the Governor. Thereafter, the
5 terms of all members shall be for four (4) years. In the event of
6 the death, resignation, disqualification or incapacity of one or
7 more members of the Board, a recess appointment for the unexpired
8 term of each such member may be made by the Governor as hereinabove
9 provided. Members of the Board shall be entitled to be reimbursed
10 for necessary travel expenses as provided in the State Travel
11 Reimbursement Act.

12 D. The Board shall organize by electing one of its members as
13 ~~chairman~~ chair and one member as ~~vice-chairman~~ vice-chair. The
14 Board shall hold regular meetings. The date, time, and place of any
15 regular meeting shall be as designated by vote of the majority of
16 the membership. Four members of the Board shall constitute a quorum
17 for all purposes. The ~~chairman~~ chair or ~~vice-chairman~~ vice-chair
18 may, upon approval of a majority of the members present and voting
19 at any meeting, designate the time, place, and date of ~~any scheduled~~
20 a special meeting, and the ~~chairman~~ chair or ~~vice-chairman~~ vice-
21 chair shall have the power to call ~~an unscheduled~~ a special meeting
22 of the Board ~~upon not less than five (5) days' notice in writing to~~
23 ~~each member thereof~~ as provided in the Oklahoma Open Meeting Act

24

1 pursuant to Section 301 et seq. of Title 25 of the Oklahoma
2 Statutes.

3 E. The standards for the storage and handling of liquefied
4 petroleum gases adopted by the National Fire Protection Association
5 and published in Pamphlet No. 58 including current and subsequent
6 editions and any subsequent changes ~~and/or~~ or additions to the
7 pamphlet, and the standards for the installation of gas appliances
8 and gas piping adopted by the National Fire Protection Association
9 and published in Pamphlet No. 54 including the current and any
10 subsequent editions and any subsequent changes ~~and/or~~ or additions
11 to the pamphlet shall be the accepted standards for this state. The
12 Board is hereby empowered and authorized, and it shall be its duty
13 to prescribe, adopt, and promulgate, in the manner set forth in
14 Section 420.1 et seq. of this title, rules relating to safety in the
15 storage, distribution, dispensing, transporting, and utilization of
16 LPG in this state and in the manufacture, fabrication, assembly,
17 sale, installation, or use in this state of LPG systems, containers,
18 apparatus, or appliances, and reasonable rules governing the
19 issuance of such permits and operations thereunder, and not
20 inconsistent with the Oklahoma Liquefied Petroleum Gas Regulation
21 Act, as it shall deem just and reasonable, and to revoke, amend, or
22 supersede such supplementary rules.

23 F. The Administrator shall administer and enforce all rules
24 formulated and adopted by the Board and administer and enforce the

1 safety rules prescribed, adopted, or promulgated by the Board under
2 and by virtue of the provisions of the Oklahoma Liquefied Petroleum
3 Gas Regulation Act, and incur all necessary expenditures in
4 effectuating the purposes of this subsection. The Administrator
5 shall serve as secretary to the Board, and shall be subject to
6 confirmation by the Senate.

7 G. Before any rules are revised, amended, adopted or
8 promulgated hereunder, the Administrator, acting on behalf of the
9 Board, shall give ten (10) days' notice to all Class I and Class II
10 permit holders under the Oklahoma Liquefied Petroleum Gas Regulation
11 Act, by mailing to the permit holders a written notice, signed by
12 the Administrator, on behalf of the Board, containing either a
13 statement of the terms or substance of the intended action, a
14 description of the subjects and issues involved, or an accurate copy
15 of the new, revised or amended rules which the Board proposes to
16 adopt and promulgate, stating the date, time, and place of a public
17 hearing at which oral or written objections to such proposals shall
18 be heard and considered. Notice shall also be given as required by
19 the Administrative Procedures Act. Nothing in this subsection shall
20 prevent the furnishing of such other or additional notice as the
21 Board shall direct.

22 H. At any hearing held under this section, not less than a
23 quorum of the Board shall be present and shall preside; provided,
24 however, that by unanimous vote and resolution, the Board may

1 authorize the Administrator to preside at any or all such hearings,
2 and in such event no Board member need be present. After any such
3 hearing the Board may, by majority vote, adopt any proposed new,
4 revised, or amended rules with such amendments and modifications
5 thereof as the ~~the~~ Board shall deem just and reasonable, and a
6 certificate reciting such adoption and the effective date thereof
7 shall be signed by the members comprising the majority of the Board.

8 SECTION 4. AMENDATORY 52 O.S. 2021, Section 420.4, as
9 amended by Section 1, Chapter 330, O.S.L. 2022 (52 O.S. Supp. 2025,
10 Section 420.4), is amended to read as follows:

11 Section 420.4. A. No person, firm, or corporation shall
12 manufacture, fabricate, assemble, or install in this state any
13 system, container, apparatus, or appliance used or to be used in
14 this state in or for the transportation, storage, dispensing, or
15 utilization of LPG, nor shall any transporter, distributor, or
16 retailer of LPG store, dispense, or transport over the highways of
17 this state any LPG intended for use in this state in any such
18 system, container, apparatus, or appliance, without having first
19 applied for and obtained a registration permit to do so. A permit
20 shall not be required by any person, firm, or corporation engaged in
21 the production or manufacture of LPG, or selling or reselling LPG to
22 transporters, gas processors, distributors, or retailers, nor by any
23 person, firm, or corporation selling or delivering motor vehicles or
24 tractors which are factory equipped with an LPG system, container,

1 apparatus, or appliance for the utilization of LPG as motor fuel.
2 The provisions of this section shall not prevent an individual from
3 installing in his or her own single-unit residence any system,
4 container, apparatus, or appliance which uses or will utilize LPG,
5 provided that such individual has secured an inspection of the
6 installation by the Administrator or someone designated by the
7 Administrator or by a person duly licensed to make such an
8 installation prior to the use of the system, container, apparatus,
9 or appliance. Applications for registration permits shall be in
10 writing, on a form provided by the Board, and shall contain such
11 pertinent information as is required by the Board. Upon approval of
12 each application and receipt of the certificates of insurance or
13 securities required by the provisions of this section, the
14 Administrator shall issue to the applicant a permit to engage in the
15 phase of the LPG industry in this state to which such permit
16 applies. No permit other than the Class I Dealer Permit shall be
17 transferable. The Board is authorized to establish a fee for the
18 transfer of a Class I Permit. Nothing in ~~Sections~~ Section 420.1
19 ~~through 420.15~~ et seq. of this title shall be construed to regulate
20 the manufacturing, fabrication, assembling, selling, or installing
21 of any system, container, apparatus, or appliance having a fuel
22 container with a maximum individual water capacity of less than two
23 and one-half (2 1/2) pounds.

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1 B. 1. The Board is authorized to establish an annual permit
2 fee for the issuance of each class of permit listed in subsection C
3 of this section.

4 2. All such registration permits shall expire annually with no
5 permit extending longer than one (1) calendar year. The expiration
6 dates shall be set by the Board in the rules. The Administrator may
7 issue a semiannual permit to applicants engaging in the business
8 within six (6) months or less of the annual renewal date. A
9 semiannual permit shall expire on the following annual expiration
10 date. The fee for a semiannual permit shall be one-half (1/2) that
11 of the fee of the annual permit. All registration permits required
12 pursuant to the provisions of this section shall be renewed upon
13 payment of the annual fees on or before the expiration of the
14 registration permit, and upon fulfilling all insurance requirements.
15 The Board is authorized to establish necessary penalty provisions
16 required to ensure prompt payment of the annual fees.

17 3. The Board is authorized to establish specifications which
18 set forth the scope of authority for each class of permits.

19 4. The Board is authorized to establish an initial permit fee
20 for the issuance of Class I and Class II permits to any person, firm
21 or corporation for the first time.

22 C. Persons, firms, and corporations required to be registered
23 pursuant to the provisions of ~~Sections~~ Section 420.1 through ~~420.15~~
24 et seq. of this title, at the time of issuance of each permit, shall

1 pay to the Administrator the initial permit fee, if applicable, and
2 any annual fee that is applicable to the following permit classes:

- 3 1. Class I - Dealer Permit;
- 4 2. Class II - Truck Transporter Permit;
- 5 3. Class III - DOT Cylinder Transporter Permit;
- 6 4. Class IV - Installer Permit;
- 7 5. Class IV-D - Driver/Installer Permit;
- 8 6. Class V - Food Truck Permit;
- 9 7. Class VI - DOT Cylinder and/or LPG Motor Fuel Station;
- 10 ~~7.~~ 8. Class VI-A - LPG Dispensing Permit;
- 11 ~~8.~~ 9. Class VII - Cylinder Exchange Program Permit;
- 12 ~~9.~~ 10. Class VIII - Unodorized LPG Permit;
- 13 ~~10.~~ 11. Class IX - LPG Container Sales Permit;
- 14 ~~11.~~ 12. Class IX-A - Manufactured Homes and Recreation Sales
15 Permit; and
- 16 ~~12.~~ 13. Class X - Manager's Permit.

17 D. 1. Each person, firm, or corporation holding a permit
18 authorizing the use of an LPG bulk delivery truck or trailer shall
19 owe at the time of inspection an annual inspection fee in an amount
20 as established by the Board for each delivery truck or trailer
21 belonging to the person, firm, or corporation. Each person, firm or
22 corporation who does not hold a permit issued by the Board
23 authorizing the use of an LPG bulk delivery truck or trailer in the
24 state shall pay an annual inspection fee in an amount as established

1 by the Board for each such truck or trailer belonging to the person,
2 firm, or corporation being used to dispense or transport LPG in the
3 state.

4 2. The inspection fee shall increase to an amount established
5 by the Board per vehicle if the inspection is not completed within
6 sixty (60) days of the expiration date, or at a later date at the
7 discretion of the Administrator.

8 E. Any LPG bulk delivery truck or trailer failing to be
9 approved at its annual inspection shall be assessed a fee in an
10 amount as established by the Board at the time that it is
11 reinspected.

12 F. The fees provided for in this section shall be applicable to
13 residents and nonresidents of Oklahoma.

14 G. The Board is authorized to approve or disapprove
15 applications for registration permits to distributors and retailers
16 of LPG and managers of LPG establishments. The Administrator is
17 authorized to approve or disapprove all other applications for
18 registration permits that may be issued pursuant to the provisions
19 of this section.

20 1. No application shall be approved by the Administrator unless
21 the Administrator is satisfied that the applicant by written
22 examination has shown a working knowledge of the safety requirements
23 provided by the rules of the Board.

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1 2. No application shall be approved by the Board unless the
2 Board is satisfied by adequate written examination of the applicant,
3 or the individual who is or shall be directly responsible for
4 actively supervising the operations of such applicant which is a
5 partnership, firm or corporation, that the applicant or such
6 individual has a working knowledge of the safety requirements
7 provided by the rules of the Board. The Board shall cause to be
8 held public hearings in the months of January, April, July and
9 October of each year on all applications for new registration
10 permits required by the provisions of this section, or upon such
11 other occasions as the Board may deem necessary. Notice of each
12 hearing shall be mailed to each such applicant and shall be posted
13 in a conspicuous place in the Office of the Administrator in
14 Oklahoma City, Oklahoma, at least thirty (30) days prior to the date
15 of the hearing. The notice shall include the name, address, permit
16 class and business location of each applicant whose application is
17 to be considered at the hearing. The applicant, or the individual
18 who is or shall be directly responsible for and actively supervising
19 the operations of the applicant, may be present at the hearing. If,
20 after the public hearing, an applicant is found by the Board to have
21 a working knowledge of the safety requirements provided by the rules
22 and regulations of the Board, the Board shall cause an order to that
23 effect to be entered upon its records and the application shall be

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1 approved. In the event an applicant fails to qualify, the fact
2 shall be entered upon the Board's records.

3 3. The Board shall charge a fee, in an amount established by
4 the Board, for testing materials and the expense of holding the
5 examinations provided for in this section. The fee shall be paid
6 upon filing an application for any permit.

7 H. A registration permit shall not be issued to any applicant
8 unless the Administrator has received certificates of insurance or
9 security as required by this section.

10 I. Except as otherwise provided for in this section, all
11 persons, firms or corporations engaged in the business of
12 manufacturing, fabricating, assembling, or installing any LPG
13 system, container, apparatus, or appliance in this state, and
14 required to be registered pursuant to the provisions of ~~Sections~~
15 Section 420.1 through 420.15 et seq. of this title, shall file with
16 the Administrator a certificate indicating liability insurance
17 coverage for the manufacturer and contractor. The Board is
18 authorized to establish coverage amounts for each class of permit,
19 provided coverage shall be for an amount of not less than Twenty-
20 five Thousand Dollars (\$25,000.00) to Fifty Thousand Dollars
21 (\$50,000.00) for bodily injury and limits of not less than Twenty-
22 five Thousand Dollars (\$25,000.00) for property damage, and shall be
23 in full force and effect, covering the plant, equipment and motor
24 vehicles used in such business, and the operations of the business.

1 J. Except as otherwise provided for in this section, all
2 transporters, distributors, or retailers of LPG in this state,
3 required to be registered pursuant to ~~Sections~~ Section 420.1 ~~through~~
4 ~~420.15~~ et seq. of this title, shall file with the Administrator a
5 certificate indicating that public liability and property damage
6 insurance coverage has been issued. The Board is authorized to
7 establish coverage amounts for each class of permit, provided
8 coverage shall be for an amount of not less than Twenty-five
9 Thousand Dollars (\$25,000.00) to Fifty Thousand Dollars (\$50,000.00)
10 for bodily injury and limits of not less than Twenty-five Thousand
11 Dollars (\$25,000.00) for property damage has been issued, and is in
12 full force and effect, covering the plant, equipment, and motor
13 vehicles used in such business, and the operations of the business.

14 K. Insurance pursuant to the provisions of this section shall
15 be maintained in full force and effect during the operation of the
16 business for which the coverage was issued. Except as otherwise
17 provided for in this section, or in administrative rules promulgated
18 by the Board, no registration permit shall be issued until the
19 certificate is filed with the Administrator. No insurance coverage
20 shall be canceled or terminated without thirty (30) ~~days~~ days' prior
21 written notice of cancellation or termination to the Administrator.

22 L. The Board is authorized, upon proof of or a satisfactory
23 showing that any person, firm, or corporation is financially able to
24 pay or satisfy any judgment, claim, or demand against the person,

1 firm or corporation, to waive the insurance coverage required by
2 this section. The Board, in lieu of the certificate, may require
3 the deposit, with the Administrator, of securities, or satisfactory
4 indemnity bond, in an amount and of a kind designated by the Board,
5 to secure the liability of such person, firm, or corporation to pay
6 any judgment, claim, or demand. The security shall not be in excess
7 of the limits set forth in this section. If the Board deems the
8 financial status of such person, firm or corporation to be impaired
9 so as to reduce the ability of such person, firm or corporation to
10 make payment or to satisfy any judgment, claim, or demand, the Board
11 may revoke the waiver and require the person, firm, or corporation
12 to file certificates required by this section within thirty (30)
13 days after written notice is sent by the Board to the person, firm
14 or corporation.

15 SECTION 5. AMENDATORY 52 O.S. 2021, Section 420.5, as
16 amended by Section 2, Chapter 330, O.S.L. 2022 (52 O.S. Supp. 2025,
17 Section 420.5), is amended to read as follows:

18 Section 420.5. A. The Oklahoma Liquefied Petroleum Gas Board
19 is authorized to establish a fee, to be paid to the Administrator,
20 upon the sale, purchase, rental ~~and/or,~~ or use in this state of
21 liquefied petroleum gas refillable cylinders and all other liquefied
22 petroleum gas containers. The fee shall be used to offset the cost
23 of Liquefied Petroleum Gas Administration inspections, including,
24 but not limited to, inspections of whether cylinders were

1 constructed in accordance with United States Department of
2 Transportation specifications and inspections of cylinder exchange
3 stations.

4 B. Each manufacturer of ~~LP-Gas~~ LPG containers in ~~Oklahoma~~ this
5 state, each vendor of containers manufactured outside of ~~the~~ this
6 state, and each person, firm, or corporation placing any LPG
7 container or cylinder in use in this state, including, but not
8 limited to, LPG dealers or distributors who ship containers from any
9 point outside of this state to a point within this state, shall pay
10 the applicable fee. For vendors of containers manufactured outside
11 of this state, the fee or fees shall apply and become due upon
12 delivery to the vendors, or for their account within the state of
13 containers or cylinders purchased outside of ~~the~~ this state. In no
14 event shall the fees herein levied be paid or become payable on any
15 container or cylinder sold, rented, purchased, or placed in use in
16 this state prior to ~~the effective date of this act, or more than~~
17 ~~once on any container or cylinder, or upon any container or cylinder~~
18 ~~resold, rerented, repurchased or reused in this state.~~ The
19 ~~Administrator is authorized to refund or credit fees upon containers~~
20 ~~sold outside of the state upon which the fees have previously been~~
21 ~~paid, or any fees which have erroneously been paid, upon written~~
22 ~~application supported by affidavit setting forth the basis for such~~
23 ~~refund.~~ The Administrator is authorized to adopt a system of
24 ~~identification of containers on which the fees herein levied have~~

1 ~~been paid~~ June 30, 1953. The Board shall promulgate administrative
2 rules establishing cylinder and container fees and to implement the
3 provisions of this section.

4 C. For containers that are placed in cylinder exchange cabinets
5 for sale or rental, the cylinder and container fee shall be a flat
6 fee that is levied on an annual basis for each separate Class VII
7 permit location. For the purposes of this act, a cylinder exchange
8 cabinet is a lockable and ventilated metal locker or rack for the
9 storage of LPG cylinders that prevents tampering with valves and
10 pilferage into the cylinders. The Administrator is authorized to
11 adopt a system that identifies the cylinders and containers on which
12 the fees levied herein have been paid. Such a system may include
13 identification tags that are affixed to individual cylinders and
14 tanks or cylinder exchange cabinets.

15 D. No person, firm, or corporation shall use or install in this
16 state any container or cylinder upon which the applicable fee levied
17 above applies and has not been paid. In case of failure to pay any
18 invoice issued by the Administration within ~~the specified time,~~
19 ~~there shall be assessed a penalty of twenty-five percent (25%),~~
20 ~~which shall be added to the applicable fee~~ thirty-five (35) calendar
21 days of the issuance thereof, there shall be assessed a penalty of
22 twenty-five percent (25%), which shall be added to the applicable
23 fee. The twenty-five-percent penalty shall be in addition to any
24 other penalty provided by law, including, but not limited to, the

1 administrative penalty established pursuant to Section 420.6 of this
2 title.

3 SECTION 6. AMENDATORY 52 O.S. 2021, Section 420.7, is
4 amended to read as follows:

5 Section 420.7. A. It shall be the duty of the Administrator to
6 inspect, or to provide for the inspection of, any LPG systems,
7 containers, apparatus, or appliances installed in this state, and
8 any LPG bulk-delivery trucks or trailers used in this state,
9 whenever in the discretion of the Administrator, ~~any~~ deputy
10 administrator, or any safety code enforcement officer such
11 inspection is necessary to effectuate the purposes of this act. The
12 Administrator ~~and any~~, deputy ~~or~~ administrator, and any safety code
13 enforcement officer are hereby severally empowered and authorized to
14 enter upon any premises where any such installation is being or has
15 been made to conduct such inspection.

16 B. The Administrator, under the direction of the Oklahoma
17 Liquefied Petroleum Gas Board, shall require proving of metering
18 system to determine the accuracy to be within the manufacturer's
19 tolerance not to exceed plus or minus one percent (1%) at any time.
20 The LPG liquid meter system shall be designed and constructed to
21 provide for applying lead-and-wire seals in such a manner that no
22 modifications or adjustments which would affect the accuracy of
23 deliveries, can be made without mutilating the seal or seals.

24

1 C. Every person to whom the Board or the Administrator issues a
2 registration permit as herein provided shall have immediate
3 possession of the permit at all times when engaged in that phase of
4 the LPG business for which the same was issued and shall display the
5 same upon demand of the Administrator, ~~the chief deputy~~
6 ~~administrator, or any~~ deputy administrator, or any safety code
7 enforcement officer.

8 D. The Administrator ~~and,~~ the ~~chief~~ deputy administrator, ~~and~~
9 ~~such deputies~~ and such safety code enforcement officers as the
10 Administrator shall by appropriate written commission appoint, shall
11 have all of the powers and authority of peace officers of this state
12 in making arrests for violations of this act or the safety rules
13 promulgated thereunder, or in serving any process, notice or order
14 connected with the enforcement of this act issued by the
15 Administrator. The Administrator, deputy administrator, and safety
16 code enforcement officers shall be certified by the Council on Law
17 Enforcement Education and Training (CLEET) before the Administrator
18 may appoint, by appropriate written commission, any safety code
19 enforcement officer to have all of the powers and authority of a
20 peace officer of this state in making arrests for violations of this
21 act or the safety rules promulgated thereunder, or in serving any
22 process, notice, or order connected with the enforcement of this act
23 issued by the Administrator.

24

1 E. The Administrator, the ~~chief deputy administrator and any~~
2 deputy administrator ~~or~~, and any safety code enforcement officer are
3 hereby empowered and authorized to sign complaints against and to
4 cause the arrest of any person charged with a violation or
5 violations of this act or the safety rules promulgated thereunder.
6 In the event the district attorney fails or refuses to draw or
7 endorse any complaint submitted to the district attorney and the
8 complainant, whether it be the Administrator, the ~~chief deputy~~
9 ~~administrator or any~~ deputy administrator, or any safety code
10 enforcement officer, desires to secure prosecution of the complaint,
11 then and in that event any court of competent jurisdiction shall be
12 authorized to issue a warrant for the arrest of the person charged
13 in the complaint and the complainant shall not be required to file
14 with the court the bond provided to be filed with and approved by
15 the court in Sections 231 through 233 of Title 22 of the Oklahoma
16 Statutes.

17 F. The Administrator ~~and any~~, deputy ~~or~~ administrator, and any
18 safety code enforcement officer are hereby severally empowered and
19 authorized to condemn any liquefied petroleum gas system, container,
20 apparatus or appliance in this state not manufactured, fabricated,
21 assembled or installed in accordance with the safety rules adopted
22 or promulgated under this act, and shall have the authority to
23 forbid the use of any such system, container, apparatus or appliance
24

1 unless and until the same have been made to comply in all respects
2 with such safety rules.

3 G. The Administrator is hereby empowered and authorized to
4 inspect or cause the inspection of the records of any person, firm
5 or corporation pertaining to the installation by such person, firm
6 or corporation of liquefied petroleum gas systems, containers,
7 apparatus or appliances in this state.

8 H. The Attorney General of the State of Oklahoma shall appear
9 and represent the Administrator and the Board and members thereof,
10 or any of them, in all litigation or other proceedings that may
11 arise in the discharge of duties and shall, at the request of the
12 Administrator, assist the district attorney in prosecuting charges
13 of violations of this act.

14 SECTION 7. AMENDATORY 52 O.S. 2021, Section 420.9, as
15 amended by Section 3, Chapter 330, O.S.L. 2022 (52 O.S. Supp. 2025,
16 Section 420.9), is amended to read as follows:

17 Section 420.9. A. All liquefied petroleum gases designated as
18 commercial propane, commercial butane or mixtures thereof, sold for
19 consumption in this state, shall, when subjected to the test methods
20 of the GPA Midstream Association, meet applicable specifications
21 adopted as tentative standards by the Association for the particular
22 product sold.

23

24

1 B. All vehicles used in hauling or transporting liquefied
2 petroleum gases upon the highways of this state shall be identified
3 in such manner as the Administrator may, by rule, prescribe.

4 C. The Department of Public Safety of the State of Oklahoma
5 shall cooperate with the Administrator in the enforcement of the
6 provisions of this section, and the rules promulgated thereunder.

7 D. Transport trucks transporting liquefied petroleum gases
8 intrastate which are owned or operated by a person subject to and
9 licensed by the Oklahoma Liquefied Petroleum Gas Regulation Act
10 shall not be required to obtain or possess an intrastate motor
11 carrier or private carrier license issued by the Oklahoma
12 Corporation Commission.

13 ~~E. Containers shall be filled or used only upon authorization~~
14 ~~of the fee simple owner. The name of the fee simple owner, if other~~
15 ~~than the consumer, shall be conspicuously shown on the container~~ Any
16 registered permit holder under the Oklahoma Liquefied Petroleum Gas
17 Regulation Act, pursuant to Section 420.4 of this title, shall
18 conspicuously mark any containers owned by such permit holder so
19 that the owner of any given container can be easily identified.
20 Containers owned by one permit holder shall only be filled or used
21 by another permit holder upon authorization of the permit holder
22 owning the container. In all instances, a consumer's authorization
23 to fill a container shall be required before filling it.

24

1 F. At least one attendant shall remain close to the transfer
2 connection from the time the connections are first made until they
3 are finally disconnected, during the transfer of the product.
4 During the actual transfer of liquids into containers at domestic
5 type dwellings and installations, the attendant shall not enter into
6 any type of enclosure including, but not limited to, truck cabs,
7 dwellings, and barns and shall maintain visual contact with the
8 liquid level gauge at all times.

9 SECTION 8. This act shall become effective November 1, 2026.
10 Passed the Senate the 16th day of February, 2026.

11
12 _____
13 Presiding Officer of the Senate

14 Passed the House of Representatives the ____ day of _____,
15 2026.

16
17 _____
18 Presiding Officer of the House
19 of Representatives
20
21
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