

APA-1  
07/04

**TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION**

Control No. \_\_\_\_\_ Department or Agency Alabama Liquefied Petroleum Gas Board  
Rule No. 530-X-2-.04  
Rule Title: PROCEDURES FOR LIQUEFIED PETROLEUM GAS FILLING STATIONS  
\_\_\_\_\_ New X Amend \_\_\_\_\_ Repeal \_\_\_\_\_ Adopt by Reference \_\_\_\_\_

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

**Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare?** YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

**Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?** NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

**Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?** YES

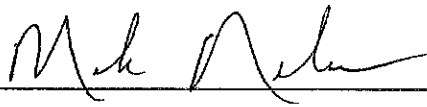
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Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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**Certification of Authorized Official**

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer 

Date 04/15/2014

(DATE FILED)  
(STAMP)

**ALABAMA LIQUEFIED PETROLEUM GAS BOARD**

**NOTICE OF INTENDED ACTION**

**RULE NO. & TITLE:**

530-X-2-.04 "PROCEDURES FOR LIQUEFIED PETROLEUM GAS FILLING STATIONS"

**INTENDED ACTION:** Amend


**SUBSTANCE OF PROPOSED ACTION:** To delete language that is no longer applicable due to recent legislative changes in the Code of Alabama, 1975. To require motor fuel signage at LP-gas dispensers to ensure collection of fuel tax related to LP-gas motor fuel.

**TIME, PLACE, MANNER OF PRESENTING VIEWS:** A public hearing will be held July 2, 2014 at 10:00 a.m., at the AUM Center for Lifelong Learning, 75 TechnaCenter Drive, Montgomery, AL 36117.

All interested parties may present their views in writing to the Administrator of the Alabama Liquefied Petroleum Gas Board, P.O. Box 1742, Montgomery, AL 36102-1742, (334-241-8887), or via email at [mark.nelson@lpgb.alabama.gov](mailto:mark.nelson@lpgb.alabama.gov). Individuals may also submit their views at the public hearing.

**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:**  
July 02, 2014 at the scheduled Public Hearing

**CONTACT PERSON AT AGENCY:**  
Mark Nelson, Administrator  
777 S. Lawrence St., Suite 100  
Montgomery, AL 36104  
Telephone: 334-241-8887  
Fax: 334-240-2255  
Email: [mark.nelson@lpgb.alabama.gov](mailto:mark.nelson@lpgb.alabama.gov)



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Mark Nelson, Administrator  
Alabama Liquefied Petroleum Gas Board

**530-X-2-.04 PROCEDURES FOR LIQUEFIED PETROLEUM GAS FILLING STATIONS.** ~~No cylinder installation shall be made unless Department of Transportation cylinders are used.~~ DOT cylinders with a water capacity of less than 250 pounds shall be charged only at bulk storage or cylinder filling plants and not from mobile units such as delivery trucks, except those vehicles specially designed and equipped for cylinder filling, and except those cylinders installed as part of a system using LP-Gas as a motor fuel or as a fuel for farm equipment such as flame cultivators. DOT cylinders of 250 water pounds capacity or larger may be charged at the installation from mobile units provided they are equipped with fixed liquid level gauging devices, quick filling valves, and vapor return valves, all of which are of an approved design, in addition to other required or acceptable valves and fittings.

(a) All DOT cylinders of less than 250 water pound capacity shall be charged by weight only except those cylinders into which is dispensed fuel for motor fuel purposes used on the premises and not transported in commerce as defined by Code of Federal Regulations Title 49.

(b) All retail off-premises cylinder filling stations shall be plainly marked as follows:

- Name of LP-Gas Station Owner
- Board License or Permit Number
- Emergency Telephone Number

~~(c) Operators of cylinder filling stations shall be agents of LP-gas dealers and shall operate under their Alabama LP-Gas Board permit and insurance (except Class "F" Permit holders).~~

~~(d) LP-Gas dealers holding permits in the state shall notify the Alabama Liquefied Petroleum Gas Board of the location of all cylinder filling installations they serve and/or operate and shall maintain such records in a current status.~~

~~(c) (e) It shall be the responsibility of Class "F" permit holders or any person who acts as an agent of a Class "A" Permit holder to ensure that only trained, qualified personnel fill LP-gas cylinders or containers.~~

(d) All LP-gas motor fuel filling stations shall have a sign displayed that is legible and in plain view of the general public. The sign shall read, "All motor vehicles licensed in Alabama that use LP-gas as a motor fuel are required by law to have displayed, a current LP-gas motor fuel decal purchased through the Alabama LP-Gas board. The price of the decal covers the Alabama Motor Fuel Tax for the year of issuance. Operation of an LP-gas powered vehicle licensed in Alabama, upon the public roads and highways of Alabama, without the required decal constitutes a Class B misdemeanor (Code of Alabama, 1975 Section 40-17-161).