

By: Senator(s) Kirby

To: Public Utilities

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2686

1 AN ACT TO AMEND SECTION 75-57-49, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE LIQUEFIED COMPRESSED GAS PERMITTEES TO OBTAIN ANNUAL
3 RENEWAL PERMITS; TO REQUIRE THAT PERSONS WHO ENGAGE IN FILLING
4 CYLINDERS AND MOTOR FUEL TANKS WITH LIQUEFIED COMPRESSED GAS SHALL
5 CARRY CERTAIN AUTOMOBILE PUBLIC LIABILITY INSURANCE; AND FOR
6 RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 **SECTION 1.** Section 75-57-49, Mississippi Code of 1972, is
9 amended as follows:

10 75-57-49. Before any person shall be granted a permit to, or
11 shall engage in or continue in the business of the distributing,
12 either wholesale or retail, installing, altering, extending,
13 changing or repairing of any liquefied compressed gas system,
14 appliance or container, or in the business of distributing and
15 selling liquefied compressed gas, either at wholesale or retail,
16 whether from trucks or other vessels, in cylinders or in any other
17 manner, such person shall satisfy the State Liquefied Compressed
18 Gas Board that he or she is financially responsible; and this
19 provision as to financial responsibility shall be met by such
20 person by filing with the State Liquefied Compressed Gas Board
21 evidence that he or she has in force such of the hereinafter
22 listed insurance policies on standard contract forms and written
23 by an insurance company, or companies, qualified to do business in
24 the State of Mississippi, as the State Liquefied Compressed Gas
25 Board shall require, based upon those activities listed above in
26 which such person is engaged, to wit:

- 27 **ANY PERSON THAT ENGAGES IN FILLING CYLINDERS AND MOTOR**
- 28 **FUEL TANKS WITH LIQUEFIED COMPRESSED GAS ON THEIR PREMISES**
- 29 **OR ANY PERSON WHO IS IN THE BUSINESS OF INSTALLING LC GAS**



30 **CARBURETION OR APPLIANCES:**

	Limits of Liability	
	Each	
	Occasion	Aggregate
34 Manufacturers and Contractors		
35 Public Liability	\$100,000	\$300,000
36 Products Liability	\$100,000	\$300,000
37 Workers' Compensation and		
38 Employers' Liability		
39 Insurance	State Statute	
40 <u>Automobile Public Liability</u>	<u>State Statute</u>	

41 **ANY PERSON THAT ENGAGES IN ANY PHASE OF THE LIQUEFIED**
42 **COMPRESSED GAS BUSINESS OTHER THAN CYLINDER FILLING**
43 **LOCATIONS:**

	Limits of Liability		
	Bodily Injury		Property
	Each	Each	Damage Each
	Person	Accident	Accident
48 Automobile Public Liability	\$500,000	\$1,000,000	\$1,000,000
49	Each		
50	Occasion	Aggregate	
51 Manufacturers and Contractors			
52 Public Liability	\$1,000,000	\$1,000,000	
53 Products Liability	\$1,000,000	\$1,000,000	
54 Workers' Compensation and			
55 Employers' Liability			
56 Insurance	State Statute		

57 The State Liquefied Compressed Gas Board shall not require
58 insurance coverage as specified above unless the hazard of
59 liquefied compressed gases is involved.

60 No policy issued under the provisions of this chapter may be
61 cancelled before thirty (30) days from the date of receipt by the



62 Commissioner of Insurance of written notice of intention to cancel
63 such policy.

64 It is expressly provided, however, that in lieu of filing
65 with the State Liquefied Compressed Gas Board evidence that such
66 insurance, as outlined above, is in force, any such person may
67 file with the State Liquefied Compressed Gas Board a good and
68 sufficient surety bond executed by a surety company licensed to do
69 business in this state in the amount of One Million Dollars
70 (\$1,000,000.00), which said bond shall be payable to the State of
71 Mississippi and shall be conditioned to guarantee the payment of
72 all damages which proximately result from any act of negligence on
73 the part of such person, or their agents or employees, while
74 engaged in any of the activities herein specified. In lieu of
75 such surety bond, any such person may execute and file a good and
76 sufficient personal bond in the amount and conditioned as
77 specified above, which said personal bond shall be secured by
78 bonds or other obligations of the State of Mississippi or the
79 United States government, of equal value. Beginning July 1, 2003,
80 every person, including current permittees, shall apply for and
81 obtain a permit from the board.

82 Beginning July 1, 2003, every permit issued under this
83 chapter shall be issued annually and shall expire on June 30
84 following the date upon which it was issued. The board shall on
85 or before April 30 of each year, forward a "notice of renewal," by
86 regular United States mail, to each permittee at his or its last
87 known mailing address.

88 Upon compliance with the provisions of this section, where
89 such compliance is required, and upon compliance with all other
90 provisions of this chapter, the State Liquefied Compressed Gas
91 Board shall issue to such dealer a permit to engage in such
92 business, but not before. The failure of the permittee to obtain
93 a renewal permit on or before June 30 of the ensuing permit period
94 shall act as an automatic revocation of the permit. During the



95 period of revocation, any practice by the permittee under the
96 color of such permit shall be deemed a violation of this chapter.

97 **SECTION 2.** This act shall take effect and be in force from
98 and after July 1, 2003.

