

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 1536
Committee Substitute Favorable 5/9/07

Short Title: Limit Liability of LPG Dealer/Certain Others.

(Public)

Sponsors:

Referred to:

April 18, 2007

1 A BILL TO BE ENTITLED
2 AN ACT TO LIMIT THE LIABILITY OF DEALERS OF LIQUEFIED PETROLEUM
3 GAS AND THEIR EMPLOYEES, AGENTS, AND SUBCONTRACTORS
4 UNDER CERTAIN SPECIFIED CIRCUMSTANCES.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. Article 5 of Chapter 119 of the General Statutes is amended by
7 adding a new section to read:

8 "§ 119-62. Liquefied petroleum gas dealers and their employees, agents,
9 subcontractors; liability limitations.

10 (a) A dealer shall not be liable for any civil damages resulting from any act or
11 failure to act if the alleged injury, damage, or loss claimed in the action was caused by
12 any one or more of the following:

13 (1) The installation, alteration, modification, or repair of liquefied
14 petroleum gas equipment or a liquefied petroleum gas appliance by a
15 person, other than the dealer, and the installation, alteration,
16 modification, or repair was done without the knowledge and consent of
17 the dealer.

18 (2) The use of liquefied petroleum gas equipment or a liquefied petroleum
19 gas appliance by a person, other than the dealer, in a manner or for a
20 purpose other than that for which the equipment or appliance was
21 intended, and the use of the equipment or appliance in a manner or for
22 a purpose other than that for which the equipment or appliance was
23 intended took place without the knowledge and consent of the dealer.

24 (3) The installation of liquefied petroleum gas equipment or a liquefied
25 petroleum gas appliance by a person, other than the dealer, in a manner
26 not in accordance with the instructions of the manufacturer of the
27 equipment or appliance or in a manner not in accordance with rules
28 adopted under this Article, and the use of the equipment or appliance
29 in a manner not in accordance with the instructions of the

1 manufacturer of the equipment or appliance or in a manner not in
2 accordance with rules adopted under this Article took place without
3 the knowledge and consent of the dealer.

4 (b) As used in this section, 'dealer' means dealer as defined in G.S. 119-54 and
5 any employee, agent, and subcontractor of the dealer."

6 **SECTION 2.** This act becomes effective October 1, 2007, and applies to acts
7 or omissions occurring on or after that date.