

LEGISLATIVE HISTORY OF R.S. 21:1B-1 et seq.  
(Liquefied petroleum gas - Safety measures)

L. 1950, Chapter 139 - S256

Introduced March 8 by Senator Hess.  
No statement.

March 20 - Passed Senate.

April 12 - Passed Assembly.

May 10 - Cond. Veto by Governor (copy enclosed).

May 10 - Public Health Committee.

May 10 - Reported with Committee amendment (as listed by Governor).

May 15 - Re-enacted, Senate, with Governor's amendment.

May 17 - Re-enacted, Assembly, with Governor's amendment.

May 25 - Approved.

COPY NO. 1

We refer you to the following volume which may not leave the library:

Gov. Driscoll's Bill Correspondence.  
(Vol. 552 - Archives Bureau)  
File on Senate Bill 256.

The file contains correspondence on this bill, a copy of the Model Act as drafted by the Liquefied Petroleum Gas Association, Inc., Chicago, Ill., and a report of a hearing held December 20, 1949 on the Transportation of Dangerous Substances.

amended by:

L. 1953, Chapter 21 - S18

Introduced January 13 by Senator Clapp.

One of series of bills revising every title. No Legislative History available.

and:

L. 1958, Chapter 43 - A293

Introduced March 3 by Mr. Crabel.

Bill had statement (copy of original bill with statement enclosed).

March 31 - Passed Assembly, amended.

April 21 - Passed Senate, amended.

April 24 - Senate amendment passed in Assembly.

May 20 - Approved.

RS/PC

[SECOND OFFICIAL COPY REPRINT]

SENATE, No. 256

# STATE OF NEW JERSEY

INTRODUCED MARCH 8, 1950

By Mr. HESS

Referred to Committee on Public Safety

AN ACT to authorize the Division of State Police to prescribe uniform regulations in this State for safety in the design, construction, location, installation and operation of equipment for storing, handling, transporting by motor vehicle, tank truck or tank trailer and utilizing liquefied petroleum gases for fuel purposes, and for the odorization of said gases used therewith, making a violation of this act a misdemeanor and prescribing the penalty therefor; to provide for the marking of liquefied petroleum gas containers and to prohibit the refilling or use of such containers without authorization by the owner thereof; to prohibit the adoption by municipalities or other political subdivisions of ordinances or regulations in conflict with this act.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*  
2 *Jersey:*

1 1. The term "liquefied petroleum gas," as used in this act, shall mean  
2 and include any material which is composed predominantly of any of the fol-  
3 lowing hydrocarbons, or mixtures of the same: propane, propylene, butanes  
4 (normal butane or isobutane), and butylenes.

1 2. The Division of State Police shall make, promulgate and enforce  
2 regulations setting forth minimum general standards covering the design,  
3 construction, location, installation and operation of equipment for storing,  
4 handling, transporting by motor vehicle, tank truck, tank trailer, and utiliz-

ing liquefied petroleum gases and specifying the odorization of said gases and the degree thereof. Said regulations shall be such as are reasonably necessary for the protection of the health, welfare and safety of the public and persons using such materials, and shall be in substantial conformity with the generally accepted standards of safety concerning the same subject matter. Such regulations shall be adopted by the Division of State Police only after a hearing thereon.

It is hereby declared that regulations in substantial conformity with the published standards of the National Board of Fire Underwriters for the design, installation and construction of containers and pertinent equipment for the storage and handling of liquefied petroleum gases as recommended by the National Fire Protection Association shall be deemed to be in substantial conformity with the generally accepted standards of safety concerning the same subject matter.

3. All equipment shall be installed and maintained in a safe operating condition and in conformity with the rules and regulations of the Division of State Police adopted under section two of this act.

4. No person, firm or corporation, other than the owner and those authorized by the owner so to do, shall sell, fill, refill, deliver or permit to be delivered, or use in any manner any liquefied petroleum gas container or receptacle for any gas, compound, or for any other purpose whatsoever.

5. It shall be unlawful for any person, firm, association, or corporation, on and after the effective date of this act to violate any of the provisions hereof or of the regulations of the Division of State Police made pursuant hereto. Any person, firm, association, or corporation violating any of the provisions of this act, or said regulations made hereunder shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00).

6. In addition to the penalties provided in section five of this act, any person, firm or corporation who shall violate or remain in violation of any

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3 of the provisions hereof, or of any rule or regulation promulgated by the  
4 Division of State Police hereunder, may be directed and ordered by notice  
5 in writing setting forth the facts relating to such violation to correct said  
6 violation by said Division of State Police. Such notice in writing shall be  
7 served personally upon said person or mailed by registered mail to the prin-  
8 cipal office of said person, firm or corporation or if an individual or in-  
9 dividuals, to his or their residence. If such order is not complied with and  
10 such violation not corrected within twenty days of the date of service of said  
11 order, the Division of State Police may file in the Superior Court and lay the  
12 venue in the county wherein such person or corporation may reside, or have  
13 his, their or its principal place of business, or residence or where such  
14 violation occurs, a petition or complaint setting forth the facts relating to the  
15 making and serving of such order and praying for an injunction or an  
16 abatement, and the court upon notice and proper hearing shall make such  
16½ determination thereof as shall seem necessary and proper to correct the  
17 violation and secure enforcement of said Division of State Police order.  
18 Every order issued by the Division of State Police under the provisions of  
19 this section shall be prima facie evidence of the truth of the matter and  
20 things therein set forth. The court may issue such temporary orders pend-  
21 ing full hearing as may seem necessary and expedient. The procedures shall  
22 be as prescribed for the securing of an injunction or for the abatement of  
23 hazards in the laws of this State or under the rules and practices of the court.

1 7. No municipality or other political subdivision shall adopt or enforce  
2 any ordinance or regulation in conflict with the provisions of this act or with  
3 the regulations promulgated under section two of this act.

1 8. The State of New Jersey hereby finds, determines and declares that  
2 this act is necessary for the immediate preservation of the public peace,  
3 health and safety.

1 9. This act shall become effective immediately, but sections five and seven  
2 hereof shall not become effective until September first, one thousand nine  
3 hundred and fifty.

A message was received from the Governor by the hands of his Secretary:

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT, }  
May 10, 1950. }

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 (b) of the State Constitution, I am returning herewith, for reconsideration and with my objections, Senate Bill No. 256.

I approve the object of this bill which proposed to incorporate into the law of this State the provisions of the Model Liquefied Petroleum Gas Law. I am advised that thirty-two States have adopted similar legislation. Through an apparent inadvertence, however, one of the clauses of the model bill was omitted from Senate Bill No. 256. In addition, since the penalty provisions of the bill are, by the terms of section 9, deferred until September 1, 1950, it appears appropriate to defer the effective date of the provisions of section 7 of the bill which prohibit the adoption or enforcement, by any municipality or other political subdivision, of any ordinance or regulation in conflict with Senate Bill No. 256 or with regulations which may be promulgated by the Division of State Police pursuant to section 2 thereof. If this recommendation is adopted it will avoid any gap in the enforcement of the ordinances between the effective date of the act and September 1, 1950.

Accordingly, I am returning herewith Senate Bill No. 256 for reconsideration and with the recommendation that amendments be made to the bill (Official Copy Reprint) as follows:

On page 3, section 6, line 16, after the words "abatement, and" insert the words "the court upon notice and proper hearing shall make such determination".

On page 3, section 6, line 22, delete the word "statement" and insert in lieu thereof the word "abatement".

On page 3, section 9, line 1, after the word "but" delete the word "section" and insert in lieu thereof the word "sections".

On page 3, section 9, line 1, after the word "five" insert the words "and seven".

Respectfully,

ALFRED E. DRISCOLL,

*Governor.*

Attest:

R. J. ABBOTT,

*Secretary to the Governor.*