

51:10-18, 51:10-19

LEGISLATIVE HISTORY CHECKLIST

NJSA: 51:10-18, 51:10-19

(Liquefied petroleum gas - residential customers - require 7 day notice prior to discontinuing services)

LAWS OF: 1983

CHAPTER: 465

Bill No: A831

Sponsor(s): Kean and others

Date Introduced: February 22, 1982

Committee: Assembly: Commerce and Industry; Transportation and Comm.  
Senate: Labor, Industry and Professions

Amended during passage: YES Amendments denoted by asterisks  
According to Governor's recommendations

Date of Passage: Assembly: November 15, 1982 Re-enacted 9-15-83  
Senate: May 23, 1983 Re-enacted 1-9-84

Date of Approval: January 12, 1984

Following statements are attached if available:

Sponsor statement: YES (Below)

Committee statement: Assembly YES

Senate YES

Fiscal Note: NO

Veto Message: YES

Message on Signing: NO

Following were printed:

Reports: NO

Hearings: NO

Sponsors' statement:

This bill requires a supplier of liquefied petroleum gas to residential dwellings to give a 5 day notice prior to discontinuing, abandoning or curtailing its services.

Regulations, referred to in statements:  
N.J.A.C 13:52-1.1 et seq.

[THIRD OFFICIAL COPY REPRINT]

ASSEMBLY, No. 831

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 22, 1982

By Assemblymen KERN, MARKERT, Assemblywoman WRIGHT,  
Assemblymen KOSCO and SCHUBER

Referred to Committee on Commerce and Industry

AN ACT concerning the supplying of liquefied petroleum gas to residential dwellings and supplementing P. L. 1952, c. 143 (C. 51:10-1 et seq.).

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

1 1. No supplier of liquefied petroleum gas to residential dwellings  
2 shall discontinue\***[,]**\* *or*\* curtail **[or abandon]**\* its service *for*  
3 *nonpayment of a bill by any customer who uses the gas as a main*  
4 *source of space heating\** without giving a prior **\*\*\*[five]\*\*\***  
5 **\*\*\*seven\*\*\*** day\*, *excluding Saturdays, Sundays and holidays,\**  
6 written **[notice]**\* *notification in six-point type or larger on the*  
7 *front of the invoice or in a separate notice,\** to the customer of the  
8 intent to discontinue\***[,]**\* *or*\* curtail **[or abandon]**\* service\*;  
9 *provided, however, that any notification after January 1, 1984, shall*  
10 *be in 10-point bold type or larger\*.*

1 2. Any person violating this act shall be subject to a penalty of  
2 \$1,000.00 for each violation. The penalty shall be enforced pursuant  
3 to "the penalty enforcement law" (N. J. S. 2A:58-1 et seq.) in a  
4 summary proceeding brought in the name of the State by the  
5 health officer of the municipality in which the violation occurred  
6 or by **\*\*[any person authorized by the Commissioner of]**\*\* **[Com-**  
7 **munity Affairs]**\* **\*\*[Health\* to bring the action]**\*\* **\*\*\*a weights**  
8 **and measures officer\*\*.** *Whenever the health officer of a municipi-*  
9 *pality brings the summary proceeding, half of the penalty shall be*  
10 *remitted to the State and the other half shall be remitted to the*

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter printed in italics thus is new matter.**

**Matter enclosed in asterisks or stars has been adopted as follows:**

**\*—Assembly committee amendments adopted October 25, 1982.**

**\*\*—Senate committee amendments adopted January 27, 1983.**

**\*\*\*—Assembly amendment adopted in accordance with Governor's recommendations September 15, 1983.**

11 *municipality in which the violation occurred. \*\*Whenever a weights*  
12 *and measures officer brings the summary proceeding, the penalty*  
13 *shall be disposed of in accordance with section 16 of P. L. 1952,*  
14 *c. 143 (C. 51:10-16).\*\**

15 *It shall not be a violation of this act to discontinue service to a*  
16 *residential dwelling or property which has unsafe equipment or*  
17 *when other conditions prevail as specified by regulations promul-*  
18 *gated by the \*\*[Commissioner of Health]\*\* \*\*Office of Weights*  
19 *and Measures\*\* which prevent delivery of a notice or liquefied*  
20 *petroleum gas to the customer.\**

1 3. This act shall take effect immediately.

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ASSEMBLY TRANSPORTATION AND COMMUNICATIONS  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 831**

with Assembly committee amendment

**STATE OF NEW JERSEY**

DATED: OCTOBER 25, 1982

This bill, as amended by the committee, requires a supplier of liquefied petroleum gas to residential dwellings to give a five day written notification, excluding Saturdays, Sundays, and holidays, prior to discontinuing or curtailing service to any customer who uses the gas as a main source of space heating. The legislation also includes a penalty of \$1,000.00 for each violation to be enforced pursuant to the "penalty enforcement law" (N. J. S. 2A :58-1 et seq.) in a summary proceeding brought in the name of the State by the health officer of the municipality in which the violation occurred or by any person authorized by the Commissioner of Health to bring the action.

A provision was added to the bill stipulating the size of the type on the invoice or separate notice advising a customer of the possibility of a discontinuance or curtailment of service to assure that the customer receive adequate notification. After January 1, 1984, the notification shall be in 10-point bold type or larger.

In addition, the amended bill provides that whenever the health officer of a municipality brings the summary proceeding, half of the penalty shall be remitted to the State and the other half shall be remitted to the municipality in which the violation occurred. Furthermore, it shall not be a violation of this act to discontinue service to a residential dwelling or property which has unsafe equipment or when other conditions prevail as specified by regulations promulgated by the Commissioner of Health which prevent delivery of a notice or liquefied petroleum gas to the customer.

SENATE LABOR, INDUSTRY AND PROFESSIONS  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 831**

[OFFICIAL COPY REPRINT]  
with Senate committee amendments

**STATE OF NEW JERSEY**

DATED: JANUARY 27, 1983

This bill requires a supplier of liquefied petroleum gas to residential dwellings to give five-day written notification, excluding Saturdays, Sundays, and holidays, prior to discontinuing or curtailing service to any customer who uses the gas as a main source of heat and who has not paid his gas bill.

Any supplier who violates the provisions of this bill would be subject to a penalty of \$1,000.00 for each violation. The health officer of the municipality in which the violation occurred or a weights and measures officer could enforce the penalty provision.

It would not be a violation under the bill to discontinue service to a residential dwelling which has unsafe equipment or when other conditions prevail as specified by regulations promulgated by the Office of Weights and Measures which prevent delivery of notice or liquefied petroleum gas to the customer.

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT

July 11, 1983

Assembly Bill No. 831 (OCR)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Assembly Bill No. 831 (OCR) with my recommendations for reconsideration.

This bill would require a supplier of liquified petroleum gas to residential dwellings to give notice to customers using such gas as a principle heat source five days prior to discontinuing service for non-payment of bills. I believe that five days notice is not sufficient. This bill should provide that seven days notice be given to such customers, as is required pursuant to regulations promulgated by the Board of Public Utilities regarding electricity and natural gas customers.

Accordingly, I herewith return Assembly Bill No. 831 (OCR) and recommend that it be amended as follows:

Page 1, Section 1, Line 4: Delete "five" and insert "seven"

Respectfully,

/s/ Thomas H. Kean

GOVERNOR

[seal]

Attest:

/s/ W. Cary Edwards  
Chief Counsel