

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

LAW/RWH

[Second Reprint]

ASSEMBLY, No. 1577

STATE OF NEW JERSEY
213th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

Sponsored by:

Assemblyman NEIL M. COHEN

District 20 (Union)

Assemblywoman LINDA STENDER

District 22 (Middlesex, Somerset and Union)

Assemblywoman JOAN M. VOSS

District 38 (Bergen)

Assemblywoman PAMELA R. LAMPITT

District 6 (Camden)

Co-Sponsored by:

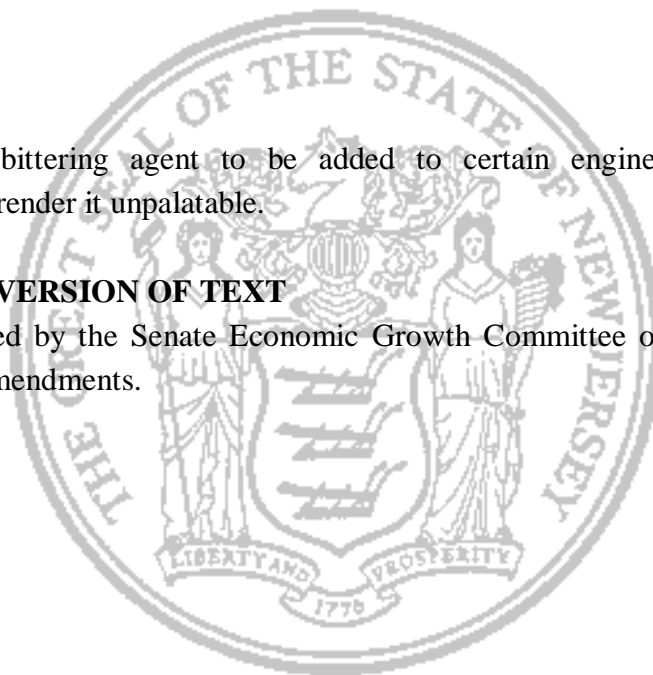
**Assemblymen Diegnan, Chiappone, Van Pelt, Rumpf, Gusciora, Senators
Van Drew, Madden, Connors, Bateman, Ciesla and Bucco**

SYNOPSIS

Requires bittering agent to be added to certain engine coolants and antifreeze to render it unpalatable.

CURRENT VERSION OF TEXT

As reported by the Senate Economic Growth Committee on February 26, 2009, with amendments.



(Sponsorship Updated As Of: 1/12/2010)

1 AN ACT concerning ¹~~antifreeze and~~¹ engine coolant ¹or antifreeze¹ ,
 2 and supplementing Title 13 of the Revised Statutes.

3
 4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
 5 *of New Jersey:*

6
 7 1. As used in this act:

8 "Antifreeze" means any substance intended for use as the cooling
 9 medium, or to be added to the cooling liquid, in the cooling system
 10 of internal combustion engines to prevent freezing of the cooling
 11 liquid or to lower its freezing point.

12
 13 2. a. Any engine coolant or antifreeze ²~~sold in the State~~²
 14 manufactured² on or after January 1, ¹~~2006~~²~~2010~~¹ , that is
 15 manufactured on or after July 1, ¹~~2005~~²~~2009~~¹ 2011 and
 16 subsequently sold in this State², and that contains more than ¹~~ten~~¹
 17 10¹ percent ethylene glycol, shall include denatonium benzoate at a
 18 minimum of ¹~~thirty~~¹ 30¹ parts per million and a maximum of
 19 ¹~~fifty~~¹ 50¹ parts per million as an aversive or bittering agent within
 20 the product so as to render it unpalatable. ¹~~Another aversive agent~~¹
 21 may be used as a bittering agent if it meets or exceeds the degree of
 22 aversion in test subjects obtained by utilizing the formulation of
 23 thirty parts per million of denatonium benzoate in engine coolant or
 24 antifreeze.]¹

25 b. Any manufacturer or ²~~packager~~² processor² of ¹engine
 26 coolant or¹ antifreeze subject to this section shall maintain a record
 27 of the trade name, scientific name, and active ingredients of any
 28 bittering agent used pursuant to this section. Information and
 29 documentation maintained pursuant to this section shall be made
 30 available to a member of the public upon request.

31
 32 3. A manufacturer, ²~~packager~~² processor², seller, distributor
 33 ^{1,1} or recycler of ¹engine coolant or¹ antifreeze that is required
 34 pursuant to this act to include a bittering agent shall not be liable to
 35 any person for any ²~~bodily~~² personal² injury, death ²~~or~~² ²,
 36 damage to property², damage to the environment or natural
 37 resources, or economic loss² that results from the inclusion of the
 38 bittering agent in the ¹engine coolant or¹ antifreeze in the
 39 concentration required by this act unless the personal injury, death
 40 ²~~or~~² ², damage to the property², damage to the environment or
 41 natural resources, or economic loss² results from willful conduct of

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 underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AEN committee amendments adopted May 12, 2008.

²Senate SEG committee amendments adopted February 26, 2009.

- 1 the manufacturer, ²~~packager~~ processor², seller, distributor ¹~~;~~¹ or
2 recycler of the ¹engine coolant or¹ antifreeze.
3
- 4 4. The provisions of this act shall not apply to any of the
5 following:
- 6 a. the sale of a motor vehicle that contains ¹engine coolant or¹
7 antifreeze; ¹~~or~~¹ ²or²
- 8 b. a whole container of engine coolant or antifreeze containing
9 ¹~~fifty-five~~ ¹55 gallons or more of engine coolant or antifreeze ²~~;~~¹
10 or
- 11 c. a person who installs engine coolant or antifreeze for
12 compensation¹² .
13
- 14 5. This act shall take effect immediately.

ASSEMBLY, No. 1577

STATE OF NEW JERSEY 213th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

Sponsored by:

Assemblyman NEIL M. COHEN

District 20 (Union)

Assemblywoman LINDA STENDER

District 22 (Middlesex, Somerset and Union)

Assemblywoman JOAN M. VOSS

District 38 (Bergen)

Assemblywoman PAMELA R. LAMPITT

District 6 (Camden)

Co-Sponsored by:

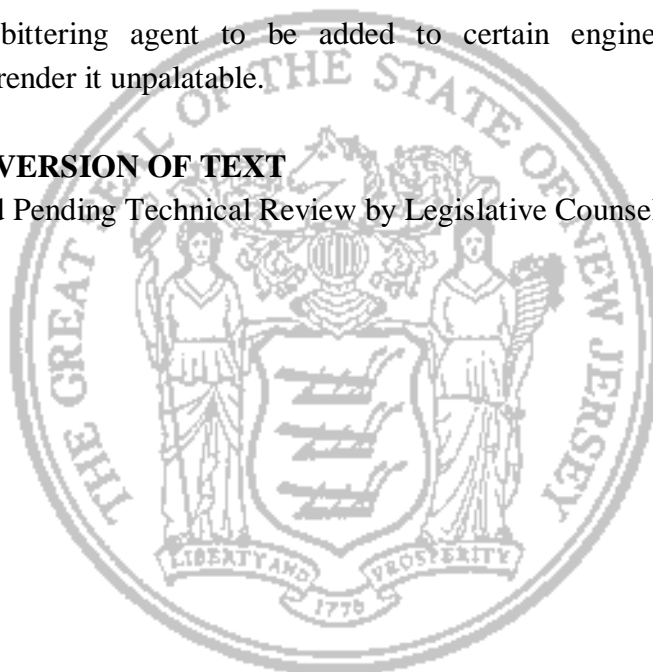
Assemblymen Diegnan, Chiappone, Van Pelt and Rumpf

SYNOPSIS

Requires bittering agent to be added to certain engine coolants and antifreeze to render it unpalatable.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 5/6/2008)

1 AN ACT concerning antifreeze and engine coolant, and
2 supplementing Title 13 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. As used in this act:

8 "Antifreeze" means any substance intended for use as the cooling
9 medium, or to be added to the cooling liquid, in the cooling system
10 of internal combustion engines to prevent freezing of the cooling
11 liquid or to lower its freezing point.

12

13 2. a. Any engine coolant or antifreeze sold in the State on or
14 after January 1, 2006, that is manufactured on or after July 1, 2005,
15 and that contains more than ten percent ethylene glycol, shall
16 include denatonium benzoate at a minimum of thirty parts per
17 million and a maximum of fifty parts per million as an aversive or
18 bittering agent within the product so as to render it unpalatable.
19 Another aversive agent may be used as a bittering agent if it meets
20 or exceeds the degree of aversion in test subjects obtained by
21 utilizing the formulation of thirty parts per million of denatonium
22 benzoate in engine coolant or antifreeze.

23 b. Any manufacturer or packager of antifreeze subject to this
24 section shall maintain a record of the trade name, scientific name,
25 and active ingredients of any bittering agent used pursuant to this
26 section. Information and documentation maintained pursuant to this
27 section shall be made available to a member of the public upon
28 request.

29

30 3. A manufacturer, packager, seller, distributor or recycler of
31 antifreeze that is required pursuant to this act to include a bittering
32 agent shall not be liable to any person for any bodily injury, death
33 or damage to property that results from the inclusion of the bittering
34 agent in the antifreeze in the concentration required by this act
35 unless the personal injury, death or damage to the property results
36 from willful conduct of the manufacturer, packager, seller,
37 distributor or recycler of the antifreeze.

38

39 4. The provisions of this act shall not apply to any of the
40 following:

41 a. the sale of a motor vehicle that contains antifreeze; or

42 b. a whole container of engine coolant or antifreeze containing
43 fifty-five gallons or more of engine coolant or antifreeze.

44

45 5. This act shall take effect immediately.

STATEMENT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17

This bill would provide that any antifreeze or engine coolant sold in New Jersey on or after January 1, 2006, that is manufactured on or after July 1, 2005, and that contains more than ten percent ethylene glycol, shall include denatonium benzoate at a minimum of thirty parts per million and a maximum of fifty parts per million as a bittering agent within the product so as to render it unpalatable. The provisions of this act shall not apply to the sale of a motor vehicle that contains antifreeze, or a whole container of engine coolant or antifreeze containing fifty-five gallons or more of engine coolant or antifreeze.

As used in this act, "antifreeze" means all substances and preparations intended for use as the cooling medium, or to be added to the cooling liquid, in the cooling system of internal combustion engines to prevent freezing of the cooling liquid or to lower its freezing point. Antifreeze contains ethylene glycol, a deadly toxin.

ASSEMBLY ENVIRONMENT AND SOLID WASTE
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1577

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 12, 2008

The Assembly Environment and Solid Waste Committee reports favorably and with committee amendments Assembly Bill No. 1577.

As amended by the committee, this bill would require that any engine coolant or antifreeze sold in New Jersey on or after January 1, 2010, that is manufactured on or after July 1, 2009, and that contains more than 10 percent ethylene glycol, include denatonium benzoate at a minimum of 30 parts per million and a maximum of 50 parts per million as a bittering agent within the product so as to render it unpalatable. The provisions of this bill would not apply to: the sale of a motor vehicle that contains engine coolant or antifreeze; a whole container of engine coolant or antifreeze containing 55 gallons or more of engine coolant or antifreeze; or a person who installs engine coolant or antifreeze for compensation.

As defined in the bill, "antifreeze" means all substances and preparations intended for use as the cooling medium, or to be added to the cooling liquid, in the cooling system of internal combustion engines to prevent freezing of the cooling liquid or to lower its freezing point.

This bill was pre-filed for introduction in the 2008-2009 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

The committee amendments to the bill:

(1) update the applicable dates for when the bittering agent requirement would apply;

(2) delete the provision authorizing use of an aversive agent other than denatonium benzoate;

(3) provide that the bill would not apply to a person who installs engine coolant or antifreeze for compensation;

(4) refer to "engine coolant or antifreeze" consistently throughout the bill; and

(5) make technical corrections.

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1577

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 26, 2009

The Senate Economic Growth Committee reports favorably and with committee amendments Assembly Bill No. 1577 (1R).

This bill, as amended by the committee, would provide that any engine coolant or antifreeze manufactured on or after January 1, 2011 that is sold in New Jersey and that contains more than 10 percent ethylene glycol, must include denatonium benzoate at a minimum of 30 parts per million and a maximum of 50 parts per million as a bittering agent within the product so as to render it unpalatable.

The bill, as amended, also provides that a manufacturer, processor, seller, distributor or recycler of engine coolant or antifreeze that is required pursuant to this bill to include a bittering agent would not be liable to any person for any personal injury, death, damage to property, damage to the environment or natural resources, or economic loss that results from the inclusion of the bittering agent unless it results from willful conduct of the manufacturer, processor, seller, distributor or recycler of the antifreeze.

As used in this bill, "antifreeze" means all substances and preparations intended for use as the cooling medium, or to be added to the cooling liquid, in the cooling system of internal combustion engines to prevent freezing of the cooling liquid or to lower its freezing point. Antifreeze contains ethylene glycol, a deadly toxin.

The committee amended the bill to (1) change the effective date of engine coolant or antifreeze affected under the bill to products manufactured after January 1, 2011; (2) add to the provision that waives liability new language involving damage to the environment or natural resources, and economic loss; (3) delete an exemption for professional installers of engine coolant or antifreeze; and (4) make necessary technical and clarifying changes.

As amended and reported by the committee, this bill is identical to Senate Bill No. 979, as also amended and reported by the committee.

SENATE, No. 979

STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED JANUARY 28, 2008

Sponsored by:

Senator JEFF VAN DREW

District 1 (Cape May, Atlantic and Cumberland)

Senator FRED H. MADDEN, JR.

District 4 (Camden and Gloucester)

Co-Sponsored by:

Senators Connors, Bateman, Ciesla and Bucco

SYNOPSIS

Requires bittering agent to be added to certain engine coolants and antifreeze to render it unpalatable.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/3/2008)

1 AN ACT concerning antifreeze and engine coolant, and
2 supplementing Title 13 of the Revised Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. As used in this act:

8 "Antifreeze" means any substance intended for use as the cooling
9 medium, or to be added to the cooling liquid, in the cooling system
10 of internal combustion engines to prevent freezing of the cooling
11 liquid or to lower its freezing point.

12

13 2. a. Any engine coolant or antifreeze sold in the State on or
14 after January 1, 2009, that is manufactured on or after July 1, 2008,
15 and that contains more than ten percent ethylene glycol, shall
16 include denatonium benzoate at a minimum of thirty parts per
17 million and a maximum of fifty parts per million as an aversive or
18 bittering agent within the product so as to render it unpalatable.
19 Another aversive agent may be used as a bittering agent if it meets
20 or exceeds the degree of aversion in test subjects obtained by
21 utilizing the formulation of thirty parts per million of denatonium
22 benzoate in engine coolant or antifreeze.

23

24 b. Any manufacturer or packager of antifreeze subject to this
25 section shall maintain a record of the trade name, scientific name,
26 and active ingredients of any bittering agent used pursuant to this
27 section. Information and documentation maintained pursuant to this
28 section shall be made available to a member of the public upon
29 request.

30

31 3. A manufacturer, packager, seller, distributor or recycler of
32 antifreeze that is required pursuant to this act to include a bittering
33 agent shall not be liable to any person for any bodily injury, death
34 or damage to property that results from the inclusion of the bittering
35 agent in the antifreeze in the concentration required by this act
36 unless the personal injury, death or damage to the property results
37 from willful conduct of the manufacturer, packager, seller,
38 distributor or recycler of the antifreeze.

39

40 4. The provisions of this act shall not apply to any of the
41 following:

42 a. the sale of a motor vehicle that contains antifreeze; or

43 b. a whole container of engine coolant or antifreeze containing
44 fifty-five gallons or more of engine coolant or antifreeze.

45

45 5. This act shall take effect immediately.

STATEMENT

1

2

3 This bill would provide that any antifreeze or engine coolant sold
4 in New Jersey on or after January 1, 2009, that is manufactured on
5 or after July 1, 2008, and that contains more than ten percent
6 ethylene glycol, shall include denatonium benzoate at a minimum of
7 thirty parts per million and a maximum of fifty parts per million as
8 a bittering agent within the product so as to render it unpalatable.
9 The provisions of this bill would not apply to the sale of a motor
10 vehicle that contains antifreeze, or a whole container of engine
11 coolant or antifreeze containing fifty-five gallons or more of engine
12 coolant or antifreeze.

13 As used in this bill, "antifreeze" means all substances and
14 preparations intended for use as the cooling medium, or to be added
15 to the cooling liquid, in the cooling system of internal combustion
16 engines to prevent freezing of the cooling liquid or to lower its
17 freezing point. Antifreeze contains ethylene glycol, a deadly toxin.

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

SENATE, No. 979

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 26, 2009

The Senate Economic Growth Committee reports favorably and with committee amendments Senate Bill No. 979.

This bill, as amended by the committee, would provide that any engine coolant or antifreeze manufactured on or after January 1, 2011 that is sold in New Jersey and that contains more than 10 percent ethylene glycol, must include denatonium benzoate at a minimum of 30 parts per million and a maximum of 50 parts per million as a bittering agent within the product so as to render it unpalatable.

The bill, as amended, also provides that a manufacturer, processor, seller, distributor or recycler of engine coolant or antifreeze that is required pursuant to this bill to include a bittering agent would not be liable to any person for any personal injury, death, damage to property, damage to the environment or natural resources, or economic loss that results from the inclusion of the bittering agent unless it results from willful conduct of the manufacturer, processor, seller, distributor or recycler of the antifreeze.

As used in this bill, "antifreeze" means all substances and preparations intended for use as the cooling medium, or to be added to the cooling liquid, in the cooling system of internal combustion engines to prevent freezing of the cooling liquid or to lower its freezing point. Antifreeze contains ethylene glycol, a deadly toxin.

The committee amended the bill to (1) change the effective date of engine coolant or antifreeze affected under the bill to products manufactured after January 1, 2011; (2) delete the provision that allows a substitute bittering agent to be used under certain circumstances; (3) add to the provision that waives liability new language involving damage to the environment or natural resources, and economic loss; and (4) make necessary technical and clarifying changes.

As amended and reported by the committee, this bill is identical to Assembly Bill No. 1577 (1R), as also amended and reported by the committee.