

52:14-19.1

LEGISLATIVE HISTORY CHECKLIST
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NJSA: 52:14-19.1

(Home heating
oil-fill pipes--
labeling)

LAWS OF: 1991

CHAPTER: 163

Bill No: S1832

Sponsor(s): Bennett

Date Introduced: Pre-filed

Committee: Assembly: Energy & Environment

Senate: Environmental Quality

Amended during passage: Yes Amendments during passage
denoted by asterisks.

Date of Passage: Assembly: May 2, 1991

Senate: June 18, 1990

Date of Approval: June 14, 1991

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

KBG/SLJ

[FIRST REPRINT]
SENATE, No. 1832

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1990 SESSION

By Senator BENNETT

1 AN ACT concerning home heating oil tank fill pipes and
2 supplementing Title 52 of the Revised Statutes.

3

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

6 1. a. ¹The owner of any residential dwelling served by a home
7 heating oil tank shall provide that the cap of any exterior heating
8 oil fill pipe be colored green or that the tank fill pipe be equipped
9 with a fill tightness system with a fill cap stamped or engraved in
10 clear letters with the words "Fuel Oil."

11 b.¹ No person may pump, pour, or otherwise place home
12 heating oil into any exterior heating oil tank fill pipe of a
13 residential dwelling unit unless that pipe is capped with a ¹[fuel]¹
14 tank ¹fill¹ pipe cap that is colored ¹[orange and that is
15 conspicuously stamped in clear letters, with the following
16 inscription: "HOME HEATING OIL ONLY."] green, or unless the
17 tank fill pipe is equipped with a fill tightness system with a fill
18 cap stamped or engraved in clear letters with the words "Fuel
19 Oil."¹

20 ¹[b.] c.¹ A person who violates the provisions of this section is
21 subject to a civil penalty not to exceed ¹[\$5,000] \$500¹. The
22 penalty may be collected in a summary proceeding brought
23 pursuant to "the penalty enforcement law," N.J.S.2A:58-1
24 et seq. ¹The Superior Court and the municipal court shall have
25 jurisdiction to enforce the provisions of "the penalty enforcement
26 law" in connection with this act.¹

27 2. This act shall take effect on the 180th day following
28 enactment.

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30

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ENERGY

32

33 Requires the coloring and labelling of caps for residential home
34 heating oil tank fill pipes.

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:
¹ Senate SEQ committee amendments adopted March 19, 1990.

SENATE, No. 1832
STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel
PRE-FILED FOR INTRODUCTION IN THE 1990 SESSION

By Senator BENNETT

1 AN ACT concerning home heating oil tank fill pipes and
2 supplementing Title 52 of the Revised Statutes.

3

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

6 1. a. No person may pump, pour, or otherwise place home
7 heating oil into any exterior heating oil tank fill pipe of a
8 residential dwelling unit unless that pipe is capped with a fuel
9 tank pipe cap that is colored orange and that is conspicuously
10 stamped in clear letters, with the following inscription: "HOME
11 HEATING OIL ONLY."

12 b. A person who violates the provisions of this section is
13 subject to a civil penalty not to exceed \$5,000. The penalty may
14 be collected in a summary proceeding brought pursuant to "the
15 penalty enforcement law," N.J.S.2A:58-1 et seq.

16 2. This act shall take effect on the 180th day following
17 enactment.

18

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STATEMENT

20

21 This bill would require that home heating oil tank fill pipes of a
22 residential unit be capped in orange, and clearly marked to
23 indicate that it be used for heating oil only.

24 There have been instances of home heating oil dealers pouring
25 heating oil into water or other drain pipes, causing the oil to run
26 into basements and, in the worst case scenario, waters to be
27 polluted. In a recent case in Monmouth County, heating oil was
28 poured into a pipe leading to a storm drain, causing the oil to
29 flow directly into a stream. If the pipe had been distinctively
30 capped, accidents of this sort would not occur.

31

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ENERGY

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34 Requires the coloring and labelling of caps for residential home
35 heating oil tank fill pipes.

ASSEMBLY ENERGY AND ENVIRONMENT COMMITTEE

STATEMENT TO

[FIRST REPRINT]

SENATE, No. 1832

STATE OF NEW JERSEY

DATED: SEPTEMBER 13, 1990

The Assembly Energy and Environment Committee favorably reports Senate Bill No. 1832 [1R].

This bill would require that home owners provide that their heating oil tank fill pipes be capped in green, unless fitted with fill tightness systems and clearly marked with the words "Fuel Oil." The bill also prohibits the delivery of fuel oil into any fill pipe that has not been properly capped or fitted with a fill tightness system.

A person who violates this act is subject to a \$500 civil penalty. The bill would not take effect until the 180th day following enactment.

The purpose of this bill is to prevent the mistaken pouring of home heating oil into the wrong pipe. There have been instances of home heating oil dealers accidentally pouring heating oil into water or other types of drain pipes. Several basements have been flooded with oil and the potential exists for water contamination as a result of accidental deliveries. In a recent incident, heating oil was delivered to a pipe connected to a storm drain, which channeled the oil into a nearby stream. If the appropriate fill pipe had been distinctively capped, this accident, and others like it, would not occur.

Senate Bill No. 1832 [1R] is identical to the Assembly Substitute Bill for Assembly Bill Nos. 2305 and 3200.

SENATE ENVIRONMENTAL QUALITY COMMITTEE

STATEMENT TO

SENATE, No. 1832

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 19, 1990

The Senate Environmental Quality Committee favorably reports Senate Bill No. 1832 with Senate Committee amendments.

As amended, this bill would require that home owners provide that their heating oil tank fill pipes be capped in green, unless fitted with fill tightness systems and clearly marked with the words "Fuel Oil." The bill also prohibits the delivery of fuel oil into any fill pipe that has not been properly capped or fitted with a fill tightness system. The committee amended the bill to change the color of the cap from orange to green, as is the industry practice, and to exempt fill pipes fitted with systems designed to prevent accidental filling or discharges.

There have been instances of home heating oil dealers accidentally pouring heating oil into water or other types of drain pipes. Several basements have been flooded with oil and the potential exists for water contamination as a result of accidental deliveries. In a recent incident, heating oil was delivered to a pipe connected to a storm drain, which channeled the oil into a nearby stream. If the appropriate fill pipe had been distinctively capped, this accident, and many like it, would not occur.

This bill was pre-filed for the 1990 session and has therefore been technically reviewed.