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HOUSE BILL 298

**47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006**

INTRODUCED BY

Brian K. Moore

AN ACT

RELATING TO LIQUEFIED PETROLEUM GAS; LIMITING LIABILITY FOR  
PERSONS WHO WORK WITH LIQUEFIED PETROLEUM GAS; ENACTING A NEW  
SECTION OF THE LPG AND CNG ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the LPG and CNG Act is  
enacted to read:

"~~[NEW MATERIAL]~~ LIABILITY LIMITED.--

A. No legal action shall be commenced or maintained  
against a person engaged in the business of selling at retail,  
supplying, handling or transporting liquefied petroleum gas if  
the alleged injury, damage or loss was caused by:

(1) the alteration, modification or repair of  
a liquefied petroleum gas appliance if the alteration,  
modification or repair was done without the knowledge and

underscoring material = new  
[bracketed material] = delete

1 consent of the liquefied petroleum seller, supplier, handler or  
2 transporter; or

3 (2) the use of liquefied petroleum gas  
4 equipment or a liquefied petroleum gas appliance in a manner or  
5 for a purpose other than that for which the equipment or  
6 appliance was intended and that could not reasonably have been  
7 expected by the liquefied petroleum seller, supplier, handler  
8 or transporter.

9 B. A person who follows the applicable procedures  
10 established by the standards of the national fire protection  
11 association as promulgated in rules by the commission pursuant  
12 to Section 70-5-5 NMSA 1978 shall not be deemed to be:

13 (1) grossly negligent; or

14 (2) willful and wanton."

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