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HOUSE BILL 304

53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018

INTRODUCED BY

Larry R. Scott

AN ACT

RELATING TO LIQUEFIED PETROLEUM GAS; LIMITING LIABILITY FOR
CERTAIN PERSONS ENGAGED IN THE LIQUEFIED PETROLEUM GAS
BUSINESS.

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 this state 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
liquefied petroleum gas equipment or a liquefied petroleum gas

.210138.1

underscoring material = new
~~[bracketed material] = delete~~

underscoring material = new
~~[bracketed material] = delete~~

1 appliance if the alteration, modification or repair was done
2 without the knowledge and consent of the liquefied petroleum
3 gas seller, supplier, handler or transporter; or

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

9 B. A person who follows the applicable procedures
10 established by rules promulgated by the commission regarding
11 the selling at retail, supplying, handling or transporting
12 liquefied petroleum gas shall not be deemed to be grossly
13 negligent or willful and wanton."