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HOUSE BILL 410

**54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

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

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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 of  
12 liquefied petroleum gas shall not be deemed to be grossly  
13 negligent or willful and wanton."

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