

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

March 4, 2015
Date

Committee on Transportation & Energy.

After consideration on the merits, the Committee recommends the following:

HB15-1228 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

- 1 Amend printed bill, page 3, lines 14 and 15, strike "and (7) (a) (VI)" and
2 substitute "(7) (a) (VI), and (7) (d)".
- 3 Page 4, after line 21 insert:

4 "(d) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION (7)
5 TO THE CONTRARY, A PERSON WHO SELLS LIQUEFIED PETROLEUM GAS AND
6 WHO SUBMITS AN AFFIDAVIT TO THE DEPARTMENT OF REVENUE AND POSTS
7 THE REQUIRED NOTICE IN ACCORDANCE WITH SECTION 39-27-104 (5) (a)
8 IS NOT A DISTRIBUTOR."
- 9 Page 5, line 14, strike "(2) (a)".
- 10 Page 6, line 15, strike "IF THE".
- 11 Page 6, strike lines 16 through 20.
- 12 Page 7, line 3, after the period add "A DISTRIBUTOR SHALL REPORT TO THE
13 DEPARTMENT OF REVENUE THE NUMBER OF MILES THAT THE VEHICLE
14 TRAVELED BASED ON ODOMETER READINGS. THE DEPARTMENT SHALL
15 ESTABLISH THE FORM TO BE USED TO REPORT THIS INFORMATION."
- 16 Page 7, strike lines 17 through 27.
- 17 Page 8, strike lines 1 through 15.

- 1 Page 10, line 2, strike "(b)" and substitute "(b); and **add (5)**".
- 2 Page 11, after line 19 insert:
- 3 "(5) (a) A PERSON WHO SELLS LIQUEFIED PETROLEUM GAS THAT IS
4 NOT USED AS SPECIAL FUEL DOES NOT ACT AS A DISTRIBUTOR AND DOES
5 NOT NEED TO BE LICENSED AS ONE UNDER THIS SECTION IF THE PERSON:
6 (I) SUBMITS AN AFFIDAVIT, SIGNED UNDER PENALTY OF PERJURY,
7 STATING THAT THE PERSON WILL NOT PLACE LIQUEFIED PETROLEUM GAS
8 IN A FUEL TANK AS PART OF ANY SALE AND THAT, IF THE PERSON DOES
9 PLACE THE FUEL IN A FUEL TANK, THE PERSON IS SUBJECT TO THE
10 PENALTIES SET FORTH IN THIS SECTION; AND
11 (II) CONSPICUOUSLY POSTS AT THE DISTRIBUTION POINT A SIGN
12 INDICATING THAT THE LIQUEFIED PETROLEUM GAS IS NOT FOR SALE FOR
13 USE IN MOTOR VEHICLES.
14 (b) THE DEPARTMENT OF REVENUE SHALL ESTABLISH THE FORM OF
15 THE AFFIDAVIT REQUIRED UNDER SUBPARAGRAPH (I) OF THIS SUBSECTION
16 (5)."
- 17 Page 12, strike lines 11 and 12.
- 18 Renumber succeeding subparagraphs accordingly.
- 19 Page 12, strike lines 19 through 21.
- 20 Renumber succeeding subparagraphs accordingly.
- 21 Page 12, strike line 27.
- 22 Page 13, strike lines 1 and 2.
- 23 Renumber succeeding subparagraphs accordingly.
- 24 Page 13, strike lines 6 and 7.
- 25 Renumber succeeding subparagraphs accordingly.
- 26 Page 16, line 2, strike "15-____," and substitute "15-1228,".

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