

**53-7-305 Board rulemaking -- Notice.**

- (1)
  - (a) The board shall make rules as reasonably necessary for the protection of the health, welfare, and safety of the public and persons using LPG.
  - (b) The rules shall be in substantial conformity with the generally accepted standards of safety concerning LPG, and shall include the following conditions:
    - (i) the rules relating to safety in the storage, distribution, dispensing, transporting, and use of LPG in this state and in the manufacture, fabrication, assembly, sale, installation, and use of LPG systems, containers, apparatus, or appliances shall be reasonable; and
    - (ii) the rules shall conform as nearly as possible to the standards of the National Fire Protection Association, relating to the design, construction, installation, and use of systems, containers, apparatus, appliances, and pertinent equipment for the storage, transportation, dispensation, and use of LPG.
- (2) The board may make rules:
  - (a) setting minimum general standards covering the design, construction, location, installation, and operation of equipment for storing, handling, transporting by tank truck or tank trailer, or using LPG;
  - (b) specifying the odorization of the gases and the degree of odorization;
  - (c) governing LPG distributors and installers and the installation of LPG systems, carburetion systems, and fueling systems; and
  - (d) prescribing maximum container removal rates.
- (3)
  - (a) When a proposed rule is filed, the board shall give at least 10 days' notice to all license applicants and licensees under this chapter by sending a notice of the proposed new, revised, or amended rule together with a notice of hearing to the licensee's current address on file with the board.
  - (b) Any person affected by rulemaking under this part may submit comment, in a format prescribed by the board, on the rule.
  - (c) A certificate citing the adoption and the effective date of a rule shall be signed by the members comprising a majority of the board.
  - (d) Within 10 days after the adoption of the rule, the board shall send to each license applicant or licensee, at his current address on file, a notice of the adoption of the rule, including its effective date.
  - (e) A facsimile of any member's signature may be used under this section if authorized by the member.

Amended by Chapter 25, 2001 General Session