

# **RULES OF SAFETY FIRE COMMISSIONER**

## **CHAPTER 120-3-16**

### **RULES AND REGULATIONS FOR LIQUEFIED PETROLEUM GASES**

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#### **120-3-16-.01 Promulgation and Purpose.**

- (1) These Rules and Regulations governing the distribution, sale, transportation, storage, handling and use of liquefied petroleum gases are promulgated jointly by the Georgia Safety Fire Commissioner pursuant to O.C.G.A. Sections 25-2-4 and 25-2-16, and the State Fire Marshal pursuant to O.C.G.A. Section 10-1-265.
- (2) The purpose of these rules and regulations is to provide precautionary and protective techniques that are reasonable and practical measures for the prevention of injury to persons and property from the storage, transportation and handling of liquefied petroleum gases, and to provide reasonably necessary measures for the protection of the health, welfare, and safety of the public and persons using such materials.
- (3) Pursuant to O.C.G.A. Section 10-1-270, no municipality or other political subdivision of this State shall adopt or enforce an ordinance, rule, or regulation in conflict with Article 10 of Chapter 1 of Title 10 of the Official Code of Georgia or with these Rules and Regulations.

- (4) The Safety Fire Commissioner and/or the State Fire Marshal of Georgia shall have the authority to act in all matters related to this Chapter, pursuant to O.C.G.A. Sections 25-2-3, 25-2-4, 25-2-5, and 25-2-16.

**Authority:** O.C.G.A. §§10-1-263, 25-2-3, 25-2-4, and 25-2-16.

### **120-3-16-.02 Definitions.**

The definitions contained herein are in addition to and in clarification of those contained in the adopted codes and standards.

- (1) ASME. The American Society of Mechanical Engineers.
- (2) AUTHORITY HAVING JURISDICTION. The State Fire Marshal of Georgia.
- (3) COMMISSIONER. The Georgia Insurance and Safety Fire Commissioner.
- (4) CONFINED SPACE. For the purpose of this Chapter, a space whose volume is less than 50 cubic feet per 1000 Btu per hour (4.8 m<sup>3</sup> per kW) of the aggregate input rating of all appliances installed in that space.
- (5) CYLINDER EXCHANGE OPERATION. This operation, also referred to as cylinder staging racks or cages, requires specific approval. No product transfer takes place at these holding locations. All cylinders, empty or full, are secured in an approved rack or cage. The cylinder inspection, requalification, reconditioning and product transfer takes place at the licensed dealer's ~~distribution-bulk~~ plant (see definition in NFPA 58) by the dealer's properly trained personnel. All cylinders are provided with the required markings, labeling and each requalification is duly recorded for compliance with applicable DOT regulations and NFPA 58, Appendix C.
- (6) DEALER IN LIQUEFIED PETROLEUM GAS. Any person who sells or offers to sell liquefied petroleum gas to an ultimate consumer for agricultural, industrial, commercial or domestic use.
- (7) DISPENSING OPERATION. A dispensing ~~facility-system~~ or vehicle fuel dispenser as defined in NFPA 58 operated by persons other than dealers in liquefied petroleum gas and used to dispense liquefied petroleum gas to the ultimate consumer.
- (8) DOT. The United States Department of Transportation.
- (9) INSTALLATION. The act of installing apparatus, piping, tubing, appliances, and equipment necessary for storing and converting liquefied petroleum gas into flame for light, heat, cooling or power for use by the ultimate consumer.
- (10) NFPA. The National Fire Protection Association.
- (11) PERSON. Any individual, firm, partnership, corporation, company, association, joint stock association, and any trustee, receiver, assignee or personal representative thereof.

- (12) SAFETY FIRE DIVISION. The Safety Fire Division of the Office of Insurance and Safety Fire Commissioner, headed by the State Fire Marshal appointed by the Commissioner.
- (13) ULTIMATE CONSUMER. Any person who is the last to purchase liquefied petroleum gas in its liquid or vapor state for agricultural, industrial, commercial or domestic use.
- (14) UNCONFINED SPACE. For the purpose of this Chapter, a space whose volume is not less than 50 cubic feet Per 1000 Btu per hour (4.8 m3 per kW) of the aggregate input rating of all appliances installed in that space. Rooms communicating directly with the space in which the appliances are installed, through openings not furnished with doors, are considered a part of the unconfined space. All the space that connects to the region that contains the appliance(s) can be combined to calculate the volume, provided there are no doors intervening.
- (15) WALLET CARD. A picture identification card issued by the Georgia State Fire Marshal's Office establishing an individual's certification for a specific area of liquefied petroleum gas industry operations.

**Authority:** O.C.G.A. §§10-1-263, 25-2-3, 25-2-4, and 25-2-16.

### **120-3-16-.03 Licenses; Fees and other Requirements.**

- (1) Except as provided herein, no person shall manufacture, distribute, sell or store for sale or transportation, liquefied petroleum gas without a license issued by the Safety Fire Division in accordance with this Chapter.
- (2) Only Georgia dealers, dispenser operations, or owners with a valid license issued by the Safety Fire Division in accordance with this Chapter shall introduce liquefied petroleum gas into a container at any location in the state for storage or dispensing of liquefied petroleum for sale or transportation.
- ~~(3)~~ The required one-time license fee pursuant to O.C.G.A. Section 25-2-4.1 shall be submitted with the license application and shall be payable to the Safety Fire Commissioner.
- ~~(4)~~ Applicants for licensure as dispensing operations shall list the supplier (licensed Dealer in Liquefied Petroleum Gas with minimum 30,000 gallon storage capacity) on the license application. Any change of supplier for dispensing operations shall require a new license to be issued in accordance with this chapter.
- ~~(3)(5)~~ The applicant shall be the owner or manager of the business applying for the LP-Gas license. Applications submitted by outside parties shall include documentation that the party is acting on behalf of and with the permission of the license applicant.
- ~~(4)(6)~~ No license shall be required for:
  - (a) The sale or storage of liquefied petroleum gas in containers meeting DOT specifications and having a maximum water capacity of two and one half (2.5)

- pounds, such as those used with self-contained hand torches, camp stoves, and similar appliances.
- (b) Cylinder exchange and dispensing operations conducted by licensed Georgia Dealers at their bulk plants with a current license. Dealers shall provide a listing of locations of the cylinder exchange racks/cages for inspection and compliance with Chapter 8 of NFPA 58 and other applicable codes.
- (c) Ultimate consumer operations.

~~(5)~~(7) Every entity who desires to be licensed to sell or distribute liquefied petroleum gas in this state shall have located within the state and within close proximity to the area serviced in Georgia storage capacity for a minimum of 30,000 water gallons, except that entities initially licensed prior to July 1, 1990, may continue to operate with the previously approved 18,000 gallons storage facility. If the 30,000 gallon capacity consists of more than one container, then no storage container used to meet this requirement shall be of a size less than 6,000 gallons. Any person who desires a liquefied petroleum gas dealer license as authorized by O.C.G.A. Title 10, Chapter 1, Article 10 and who has not yet acquired the required storage facility may enter into a bulk storage lease agreement with such qualified person on the forms provided by the Safety Fire Division. Such agreement shall be made in triplicate and the license fee shall be the same as stated in subparagraph (3) of this rule. If the required storage facility is leased or rented, then such storage capacity must be dedicated to the exclusive use of the lessee and must include separate piping and loading/unloading facilities.

~~(6)~~(8) Prior to obtaining a license for any of the activities listed in subsection (1) of this Rule, all persons shall furnish the Safety Fire Division with evidence of and shall thereafter maintain the following insurance coverage with an insurer authorized to do business in this State or an insurer regulated pursuant to O.C.G.A. Title 33, Chapter 5, if insurance cannot be obtained from an insurer authorized to do business in this State:

- (a) General liability including products and completed operations:
  - 1. \$1,000,000 combined single limits if the capacity is more than 2,000 gallons.
  - 2. \$500,000 combined single limits if the capacity is 2,000 gallons or less.
- (b) Motor vehicle liability (when applicable): \$1,000,000 combined single limits.
- (c) An insurer which provided such coverage shall notify the Commissioner of any change in coverage.

~~(7)~~(9) The name under which a person is licensed shall appear on all delivery tickets, delivery vehicles, and storage facilities. Nothing herein shall prohibit the use of trademarks, symbols or logos in addition to the licensee's name. Nothing herein shall prohibit the use of cash register receipts without the name of the business at portable DOT cylinder filling facilities.

~~(8)~~(10) Any license issued pursuant to this Chapter may be suspended or revoked by the Safety Fire Division in accordance with O.C.G.A. Section 10-1-269.

**Authority:** O.C.G.A. §§10-1-263, 25-2-3, 25-2-4, and 25-2-16.

#### **120-3-16-.04 Training Requirements for Georgia Liquefied Petroleum Gas Industry Workers**

- (1) Each Georgia liquefied petroleum gas industry worker whose primary duties fall within the scope of Georgia Rules and Regulations 120-3-16 shall be trained in proper handling procedures and shall be certified by the Georgia State Fire Marshal's Office for the particular job function that they perform. The training curriculum shall be the Certified Employee Training Program (CETP) or equivalent program approved by the Georgia State Fire Marshal's Office to include employees engaged as delivery drivers and/or service and installation technicians.
  - (a) Existing industry workers whose primary duties fall within the scope of Georgia Rules and Regulations 120-3-16 shall be certified. The Georgia State Fire Marshal's Office may define who is an existing industry worker, determine when an existing industry worker must be certified, and develop the criteria for certification of existing industry workers when documentation of prior certification does not exist. One of the following methods will be used as certification criteria:
    1. Written or oral examination
    2. Work performance review
    3. Observation during performance of the job
    4. On the job training
  - (b) New industry workers including seasonal or part-time workers, ~~employed after the effective date of this regulation~~ must comply with certification requirements within 12 months of their original date of hire. Other workers that do not meet the requirements of existing industry workers listed in paragraph 120-3-16-.04 (1) (a) above or whose certification has expired as described in subsection 120-3-16-.04 (3) must comply with certification requirements within 12 months of the original date of hire, expiration of certification, or re-entry into the liquefied petroleum gas industry. Prior to certification, employees may perform duties for which they have been properly trained as per NFPA 58 and other appropriate regulatory agencies.
- (2) Every Georgia liquefied petroleum gas industry worker must acquire a minimum of six hours of Continuing Education Units (CEU) every three years to maintain their certification.
- (3) Certification belongs to the Georgia liquefied petroleum gas industry worker and follow the industry worker upon change of employment within the Georgia liquefied petroleum gas industry. A copy of the industry worker's certificate shall be provided to their employer. Certification shall not expire unless:
  - (a) CEUs required by subsection 120-3-16-.04 (2) are not maintained
  - (b) Industry Worker's employment within the liquefied petroleum gas industry has lapsed for a period of more than one year
  - (c) The Commissioner deems that revocation of the industry worker's certification is necessary due to gross negligence or violation of this regulation
- (4) A wallet card indicating valid certification shall be issued by the Georgia State Fire

Marshal's Office to the liquefied petroleum gas industry worker. This wallet card shall be kept with the industry worker at all times during which they are conducting business and shall be made available to authorities, State or Local, upon request. The wallet card shall be issued in the following classes:

- (a) Class I: Basic Transfer and Handling
- (b) Class II: Delivery
- (c) Class III: Service /Installation
- (d) Class IV: Bulk Operator
- (e) Class V: Delivery and Service / Installation

(5) Certain records regarding certification shall be maintained by the appropriate party and maintained as current.

(a) The Georgia State Fire Marshal's Office shall:

- 1. Maintain permanent certification records submitted by the Georgia liquefied petroleum gas industry worker

~~2. Maintain a database of CEU's~~

~~3.2.~~ Notify Certificate holder of upcoming CEU renewal requirements

(b) The Georgia liquefied petroleum gas industry worker shall:

- 1. Maintain personal CEU's
- 2. Maintain their wallet card that is issued by the Georgia State Fire Marshal's Office

(c) The licensed dealer in liquefied petroleum gas shall:

- 1. Maintain employee records indicating the status of certified employment base

(6) A Propane Industry ~~Education~~ Advisory Panel shall be appointed by the Commissioner and shall advise ~~or recommend appropriate continuing education unit curriculum the~~ Commissioner of any incidents, accidents, code or standards updates, and any information that may be relevant to the enforcement of this Chapter. The panel shall consist of five members: one independent propane marketer, one multi-state propane marketer, one propane industry supplier representative, one at-large member, ~~all to be appointed by the executive committee of the Georgia Propane Gas Association~~ and a representative of the State Fire Marshal. The Commissioner may consult the Southeast Propane Alliance for nominations of industry representatives. Each member of the advisory panel will serve a three year term. ~~Members of the advisory panel will elect a chairman and vice chairman. The Vice Chairman shall succeed the Chairman. The panel shall meet at least twice a year, or more if required to discuss incidents or accidents.~~

**Authority:** O.C.G.A. §§10-1-263, 25-2-3, 25-2-4, and 25-2-16.

#### **120-3-16-.05 Submission of Plans.**

- (1) Complete plans and specifications for all systems involving the aggregate storage capacity of over ~~2,000~~ 4,000 water gallons of liquefied petroleum gas shall be submitted ~~in duplicate~~ to, and receive approval by, the Safety Fire Division before installation is started. Complete plans and specifications for all systems involving storage of any capacity, used for the dispensing of liquefied petroleum gas as vehicular fuel, and located within 50 ft. of any facility dispensing flammable or combustible liquids as outlined in Georgia Rules and Regulations 120-3-11 shall be submitted ~~in duplicate~~ to, and receive approval by, the Safety Fire Division before installation is started. Pursuant to O.C.G.A. Sections 25-2-4.1 and 10-1-266, the plans shall be accompanied with the plan review fee ~~payable to the Safety Fire Commissioner~~. Pursuant to O.C.G.A. Section 25-2-16, the plans shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the Safety Fire Division.
- (2) Plans shall be submitted ~~in duplicate~~ and shall include, at a minimum, the following:
- (a) Scaled site plan (shall include all buildings and property lines)
  - (b) Storage container location(s)
  - (c) Container Drawings (shall include all piping connections, valves, and appurtenances)
  - (d) Container Pier Drawings (if applicable)
  - (e) Piping, valve, and associated equipment layout and arrangements
  - (f) Electrical conduit layout and arrangements
  - (g) Corrosion protection (if applicable)
  - (h) Equipment list and specifications (shall include make and model of equipment)
  - (i) A copy of the container data plate (picture, rubbing, marking, etc.)
  - ~~(j)~~ A Fire Safety Analysis completed by the local fire authority
  - ~~(k)~~ Other information necessary to show compliance
- ~~(3) Submissions for storage containers shall also include the following:~~
- ~~(a) A site approval by a representative of the State Fire Marshal~~
  - ~~(b) A Fire Safety Analysis completed by the local fire authority~~
- ~~(4)~~ (3) One set of plans shall be ~~retained by the State Fire Marshal and one copy~~ returned to the applicant with approval or disapproval indicated thereon. A physical or digital copy of the approved plans shall be kept at the installation site during construction for inspection by authorized representatives of the State Fire Marshal or local authority.
- ~~(5)~~ (4) Construction or the storage container installation, or associated equipment, shall not commence until the plans have been approved and returned to the applicant.
- ~~(6)~~ (5) In lieu of plans, a final inspection shall be obtained from Safety Fire Division for the following:
- (a) All other systems, which may or may not require a license but involve the storage of ~~2,000~~ 4,000 water gallons or less of liquefied petroleum gas, such as, cylinder filling plants open to the public, or dispensing and filling locations at commercial, industrial or mercantile sites.



- (b) Cylinder exchange racks or cages which do not require a license. Dealers shall provide a listing of locations of the cylinder exchange racks/cages for inspection and compliance with Chapter 8 of NFPA 58 and other applicable codes.

**Authority:** O.C.G.A. §§10-1-263, 25-2-3, 25-2-4, and 25-2-16.

### **120-3-16-.06 Reporting of Fires and Accidents.**

All owners, managers or operators of all vehicles and equipment covered under this Chapter shall as soon as possible, but in no event later than eight hours of the incident occurring, shall notify the Safety Fire Division of all fires involving such vehicles and equipment and all accidents involving the same that may create a hazard to the public. In addition to the initial notification, all owners, managers or operators of all vehicles and equipment covered under this Chapter shall submit a written report to the Safety Fire Division within seventy-two (72) hours of the incident occurring.

**Authority:** O.C.G.A. §§10-1-263, 25-2-3, 25-2-4, and 25-2-16.

### **120-3-16-.07 Adopted Codes and Standards.**

Except to the extent modified herein, the following NFPA codes and standards are hereby adopted:

**(1) NFPA 54, ~~2018~~-2024 Edition, *National Fuel Gas Code*:**

Modifications:

**(a) Modifications to Chapter 3:**

~~1. Delete subsection 3.3.81 in its entirety and substitute in its place the following:~~

~~**“3.3.81 Qualified Agency.** A Georgia licensed dealer in liquefied petroleum gas that is engaged in and is responsible for (1) the installation, testing, or replacement of gas piping or (2) the connection, installation, testing, repair, or servicing of appliances and equipment and that has complied with all the requirements of Georgia Rules and Regulations 120-3-16.”~~

~~2. Add a new subsection 3.3.106 to read as follows:~~

~~**“3.3.106 Interruption of Service.** Any time when there is a disruption in the flow of gas between the gas supply and the distribution piping, or any portion thereof.”~~

~~1. Delete subsection 3.3.61 in its entirety and substitute in its place the following:~~

~~**“3.3.61 Interruption of Service.** Any time when there is a disruption in the flow of gas between the gas supply and the distribution piping, or any portion thereof.~~

~~2. Delete subsection 3.3.83 in its entirety and substitute in its place the following:~~

~~**“3.3.831 Qualified Agency.** A Georgia licensed dealer in liquefied petroleum gas that is~~



engaged in and is responsible for (1) the installation, testing, or replacement of gas piping or (2) the connection, installation, testing, repair, or servicing of appliances and equipment and that has complied with all the requirements of Georgia Rules and Regulations 120-3-16."

**(b) Modifications to Chapter 10:**

1. Delete subsection 10.~~22-121.2~~ in its entirety and substitute in its place the following:

**"10.~~22-121.2~~ Prohibited Installations.** Unvented room heaters shall not be installed in bathrooms or bedrooms.

*"Exception No. 1: One listed wall-mounted unvented room heater equipped with an oxygen depletion safety shutoff system shall be permitted to be installed in a bathroom provided that the input rating shall not exceed 6,000 Btu/hr (1760 W/hr) and combustion and ventilation air is provided as specified in 10.1.2.*

*"Exception No. 2: One listed wall-mounted unvented room heater equipped with an oxygen depletion safety shutoff system shall be permitted to be installed in a bedroom provided that the input rating shall not exceed 10,000 Btu/hr (2930 W/hr) and combustion and ventilation air is provided as specified in 10.1.2.*

*"NOTE: Exceptions No. 1 and No. 2 are acceptable installations to the Safety Fire Division [refer to 120-3-16-.02 12]."*

**(2) NFPA 58, ~~2020~~ 2024 Edition, Standard for the Storage and Handling of Liquefied**

**Petroleum Gases:**

Modifications:

**(a) Modifications to Chapter 4:**

1. Delete Section 4.4 in its entirety and substitute in its place the following:

**"4.4 Qualifications of Personnel.** Persons who transfer liquid LP-Gas, who are employed to transport LP-Gas, or whose primary duties fall within the scope of this code shall be trained in accordance with Section 120-3-16-.04 of this Rule. Prior to obtaining a license for any of the activities listed in Section 120-3-16-.01 of this Rule, new applicant(s) must provide verification that all responsible persons such as owner or manager, and any employee(s) handling LP-Gas, have received and successfully completed safety training in the proper handling and operating procedures of LP Gas. This training shall be maintained and be kept up to date for the applicant's license to remain valid. Training records for persons whose primary duties do not fall within the scope of this code but are engaged in the handling or transfer of LP-Gas at dispensing operations shall be maintained at the dispensing operation and shall be made available to the authority having jurisdiction upon request. ~~The Applicant must be the owner or manager of the business applying for the LP-Gas license."~~

2. Delete subsections 4.4.1 – 4.4.4 in its entirety.

**(b) Modifications to Chapter 5:**

1. Add a new paragraph 5.2.1.12 to read as follows:

**“5.2.1.12** The design, fabrication, and marking provisions for containers and features normally associated with container fabrication, such as container openings, appurtenances required for these openings to make the containers gastight entities, physical damage protecting devices, and container supports attached to or furnished with the container by the manufacturer shall meet the requirements of this section. All tank distributors or firms who manufacture or sell ASME liquefied petroleum gas containers shall provide each Georgia dealer who purchases such containers with a manufacturer's data sheet for each container as set forth in Section VIII of ASME's Boiler and Pressure Vessel Code. All such data sheets shall be signed by an inspector regularly employed by an insurance company or authorized governmental unit who holds a Certificate of Competency and Commission from the National Board of Boiler and Pressure Vessel Inspectors. All dealers shall file such data sheets as part of their regular records, separated by name of manufacturer and serial number of the container. Such records shall be available during regular office hours for inspection by the Safety Fire Division or authorized agent thereof. This requirement shall also apply to containers which are utilized on trucks, semi-trailers, and trailers. When containers used in this State are purchased by control purchasing departments of companies, corporations, their subdivisions or individuals operating within this State, such records shall be retained by the department, subdivision or individual. Copies of the manufacturer's data sheets shall be available to the representative of the Safety Fire Division upon request.”

2. Delete subsection ~~5.23.25.24.2~~ in its entirety and substitute in its place the following:

**“~~5.23.25.24.2~~** Any appliance originally manufactured for operation with a gaseous fuel other than LP-Gas shall not be used with LP-Gas unless it is converted to use LP-Gas, and is tested for performance with LP-Gas before being placed into use. No person shall use liquefied petroleum gas as a source of pressure in operating spray guns and other equipment not specifically designed or intended to use liquefied petroleum gas.”

### **(c) Modifications to Chapter 6:**

1. Add a new subsection 6.1.4 to read as follows:

**“6.1.4 General Provisions.** Bulk storage facilities, cylinder filling facilities, and cylinder exchange staging areas shall have emergency contact information posted in a prominent location accessible to persons who might notice leaks, fires or other unsafe conditions. For bulk storage and cylinder filling facilities the letters shall be at least 2 inches high using approximately a 1/4 inch stroke. At cylinder exchange staging areas the letters shall be 3/4 inches high using approximately a 1/8 inch stroke. ‘No smoking’ signs shall be conspicuously posted.”

2. Add a new paragraph 6.8.1.8 to read as follows:

**“6.8.1.8** Piping, tubing or regulators shall be considered well supported when they are rigidly fastened in their intended position.”

3. Add a new subsection ~~6.24.96.25.9~~ to read as follows:

**“~~6.24.96.25.9~~ Security and Protection Against Tampering.** Vaporizers shall have fencing or protection against tampering in accordance with ~~6.21.46.22.4~~ and protection against vehicle collision.”

### **(d) Modifications to Chapter 7:**

1. Add a new paragraph 7.2.2.20 to read as follows:

“7.2.2.20 No person shall introduce LP Gas into a container, evacuate a container, or otherwise modify or tamper with a container without the written permission of the container owner.

*Exception: A Georgia dealer in LP-Gas may evacuate a container not owned by such dealer for the purpose of transferring the LP-Gas remaining in the container into a container which is owned by the dealer or the ultimate consumer, provided that the dealer owning the container to be evacuated is notified of the transfer. The Georgia dealer in LP-Gas evacuating the container shall document such notification and shall maintain a record of the notification for a period not less than three years.”*

1. 2. Add a new paragraph 7.2.2.21 to read as follows:

“7.2.2.21 All DOT cylinders equipped with overfilling prevention devices intended for vapor service shall be filled on a scale certified in accordance with applicable laws unless otherwise approved by the authority having jurisdiction.”

#### **(e) Modifications to Chapter 8:**

1. Add a new subsection 8.2.3 to read as follows:

“**8.2.3** When cylinders are stored in exchange or storage cages, the name of the lp-gas supplier and the supplier’s emergency contact information shall be posted on the front of the cage using letters 3/4 inches high using approximately a 1/8 inch stroke.”

#### **(f) Modifications to Chapter 9:**

1. Add a new subsection 9.1.3 to read as follows:

“**9.1.3 General Provisions.**”

2. Add a new paragraph 9.1.3.1 to read as follows:

“**9.1.3.1** Drivers shall not be addicted to or under the influence of intoxicants or narcotics, and intoxicating beverages shall not be carried on or consumed in transport vehicles.”

3. Add a new paragraph 9.1.3.2 to read as follows:

“**9.1.3.2** Except during transfer operations, the liquid valve(s) of all tanks and cargo tanks ~~trucks~~ shall be closed by means of self-closing shut-off valves.”

4. Add a new paragraph 9.1.3.3 to read as follows:

“**9.1.3.3** The transfer of L.P. Gas from vehicle to vehicle at any location which is open to and readily accessible to the public and on any public highway, road, street, or alley is allowed only with approval of the Safety Fire Division except in emergency situations.”

5. Add a new paragraph 9.4.6.3 to read as follows:

“**9.4.6.3** In addition, the common name of the product or the words ‘LIQUEFIED PETROLEUM GAS’ shall be marked on the rear and sides of cargo tanks in letters at least 2 inches high using approximately a 1/4 inch stroke, with red letters upon a white background.”

6. Add a new paragraph 9.4.6.4 to read as follows:

“**9.4.6.4** The name and telephone number of the owner or operator of any vehicle required to be marked shall be displayed on each side of the vehicle in legible lettering.”

(b) Modifications to Chapter 16:

1. Add a new subsection 16.1.1 to read as follows:

“16.1.1 General Provisions”

2. Add a new paragraph 16.1.1.2 to read as follows:

“16.1.1.2 Compliance with Sections 16.3 through 16.11 of this chapter shall be the sole responsibility of the owner or operator of the mobile food facility. This requirement shall not prohibit inspections of mobile food facilities for compliance with this Chapter by the AHJ or local fire authorities.”

**(3) NFPA 59, ~~2012~~ 2024 Edition, *Standard for the Storage and Handling of Liquefied Petroleum Gases at Utility Gas Plants.***

Modifications: None

**Authority:** O.C.G.A. §§10-1-263, 25-2-3, 25-2-4, and 25-2-16.

**120-3-16-.08 Request for Modification of Specific Requirements.**

Upon receipt of a sworn affidavit from the owner stating all relevant facts and circumstances and such other information as may be required, the Safety Fire Division may determine that specific requirements of this Chapter and the NFPA codes and standards adopted herein should be modified to allow alternative arrangements that will secure as nearly equivalent measures as practical for the prevention of injury to persons and property. In their discretion, the Georgia Safety Fire Commissioner and the State Fire Marshal may jointly grant the requested modification.

**Authority:** O.C.G.A. §§10-1-263, 25-2-3, 25-2-4, and 25-2-16.

**120-3-16-.09 Inspections.**

Authorized representatives of the Safety Fire Division may conduct inspections of all facilities subject to this Chapter. Upon determination by such inspection that a liquefied petroleum gas system or any part thereof is unsafe to the extent that it endangers life or adjacent properties, the inspector may red tag the entire system or a specified portion thereof. The red tag may be removed only by an authorized representative of the Safety Fire Division. Any system or portion of a system that has been red tagged may no longer be used until the red tag has been removed. In the event of a consumer complaint, fire, or explosion, all owners, managers or operators of all vehicles and equipment covered under this Chapter shall promptly and completely make available for inspection

at the request of the Safety Fire Division all records regarding delivery receipts, inspections, installations, leak tests, maintenance, service calls, pressure tests, and tank lease agreements.

**Authority:** O.C.G.A. §§10-1-263, 25-2-3, 25-2-4, and 25-2-16.

#### **120-3-16-.10 Compliance with Rules and Regulations; Penalties.**

(1) All persons shall manufacture, distribute, sell, store, transport, use and otherwise handle liquefied petroleum gases in conformity with this Chapter. After notice and hearing provided in accordance with Rule 120-3-2-.02 of the Rules of Safety Fire Commissioner, or as provided in O.C.G.A. Section 10-1-269, any person who is found to have violated any of the rules contained in this Chapter shall be subject to such penalties as authorized by law or Regulation.

(2)  
(3) The Commissioner may impose a monetary fine of up to \$1,000 against any person, firm, corporation, or partnership responsible for the operation of any installation, vehicle, or operations covered under this Chapter for each violation of these regulations, related statutes, or any order of the Commissioner.

**Authority:** O.C.G.A. §§10-1-263, 10-1-269, 25-2-3, 25-2-4, and 25-2-16.

#### **120-3-16-.11 Forms.**

- (1) Unless otherwise indicated, and to the extent provided, each filing required under this Regulation Chapter is to be made on forms or electronic format obtained from the Safety Fire Division.
- (2) Forms may be reproduced and may be altered to accommodate manual or automated processing provided the same information is presented in the same order as in the forms or electronic format obtained from the Safety Fire Division.
- (3) Any form filed electronically requiring a signature shall contain the electronic signature of the person filing the form, as defined in O.C.G.A. Section 10-12-3.
- (4) The Safety Fire Division may approve a method or methods of electronic filing.

**Authority:** O.C.G.A. §§10-1-263, 25-2-3, 25-2-4, and 25-2-16.

#### **120-3-16-.12 Notes.**

- (1) The NFPA codes and standards adopted in this Chapter are on file in the Safety Fire Division and are available for viewing.
- (2) Copies of the NFPA codes and standards may be obtained from:

National Fire Protection Association

Batterymarch Park  
Quincy, Massachusetts 02269  
Phone: 1-800-344-3555

**Authority:** O.C.G.A. §§10-1-263, 25-2-3, 25-2-4, and 25-2-16.

**120-3-16-.13 Severability.**

If any rule or portion thereof contained in this Chapter is held invalid by a court of competent jurisdiction, the remainder of the rules herein and the applicability of such provisions to other circumstances shall not be affected thereby.

**If you are an individual with a disability and wish to acquire this publication in an alternative format, please contact the ADA Coordinator, Safety Fire Division, Office of Commissioner of Insurance, No. 2 Martin Luther King Jr. Drive, Atlanta, Georgia 30334, 404 656-2056, TDD 404 656-4031.**

**Authority:** O.C.G.A. §§10-1-263, 25-2-3, 25-2-4, and 25-2-16.



