

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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SENATE DRS25045-LD-80 (02/21)

Short Title: Limit Liability of LPG Dealer/Certain Others.

(Public)

Sponsors: Senator Albertson.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO LIMIT THE LIABILITY OF DEALERS OF LIQUEFIED PETROLEUM  
3 GAS AND THEIR EMPLOYEES, AGENTS, AND SUBCONTRACTORS  
4 UNDER CERTAIN SPECIFIED CIRCUMSTANCES.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. Article 5 of Chapter 119 of the General Statutes is amended by  
7 adding a new section to read:

8 "§ 119-62. Liquefied petroleum gas dealers and their employees, agents,  
9 subcontractors; liability limitations.

10 (a) A dealer shall not be liable for any civil damages resulting from any act or  
11 failure to act if the alleged injury, damage, or loss claimed in the action was caused by  
12 any one or more of the following:

13 (1) The installation, alteration, modification, or repair of liquefied  
14 petroleum gas equipment or a liquefied petroleum gas appliance by a  
15 person, other than the dealer, and the installation, alteration,  
16 modification, or repair was done without the knowledge and consent of  
17 the dealer.

18 (2) The use of liquefied petroleum gas equipment or a liquefied petroleum  
19 gas appliance by a person, other than the dealer, in a manner or for a  
20 purpose other than that for which the equipment or appliance was  
21 intended.

22 (3) The installation of liquefied petroleum gas equipment or a liquefied  
23 petroleum gas appliance by a person, other than the dealer, in a manner  
24 not in accordance with the instructions of the manufacturer of the  
25 equipment or appliance or in a manner not in accordance with rules  
26 adopted under this Article.

- 1       (b) As used in this section, 'dealer' means dealer as defined in G.S. 119-54 and  
2 any employee, agent, and subcontractor of the dealer."  
3               **SECTION 2.** This act is effective when it becomes law and applies to acts or  
4 omissions occurring on or after that date.