

**Chapter 3. General Requirements for Sewage Disposal  
[formerly Chapter 13 Subpart B]**

**§308. Outfall Paths**

A. In reviewing plans and specifications for a proposed community sewerage system or individual sewerage system, or modifications thereto, the state health officer shall require the system owner to provide evidence of appropriate servitudes or permissions for any portion of the outfall path lying between the boundaries of the system owner's property and the first suitable publicly maintained ditch, canal, or channel forming part of the outfall path, or the ultimate receiving navigable stream or body of water, whichever is encountered first. A publicly maintained ditch, canal, or channel shall be deemed suitable for use as an outfall path unless the public or governmental body maintaining same has explicitly notified the state health officer to the contrary in writing. Notwithstanding any other provision of this code, the state health officer shall not be obligated to review or analyze the suitability or ownership of any portion of an outfall path lying downstream of its confluence with the first suitable publicly maintained ditch, canal, or channel forming a part thereof.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:4(A)(6) and R.S. 40:5(A)(2)(3)(9)(20).

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 43:967 (May 2017).

Jimmy Guidry MD  
State Health Officer  
and  
Rebekah E. Gee MD, MPH  
Secretary

1705#013

**RULE**

**Department of Public Safety and Corrections  
Liquefied Petroleum Gas Commission**

**Broker Permits and General Requirements  
(LAC 55:IX.Chapter 1)**

The Department of Public Safety and Corrections, Liquefied Petroleum Gas Commission, in accordance with R.S. 49:953(B) of the Administrative Procedure Act, has amended, supplemented and expanded and readopted portions of LAC 55:I.Chapter 1 as authorized by R.S. 40:1846.

In particular, LAC 55:IX.107 requires a permit for third-party brokers who are instrumental in the sale and service of liquefied petroleum. Filing fees for all applications are \$150.

**Title 55**

**PUBLIC SAFETY**

**Part IX. Liquefied Petroleum Gas**

**Chapter 1. General Requirements**

**Subchapter A. New Dealers**

**§107. Requirements**

A. Before any permit or registration may be issued from the office of the director, all applicants shall have complied with or agree to comply with the applicable requirements as follows.

1. Shall deposit filing fee of \$150 for classes and \$25 for all registrations. This fee shall accompany application.

2. - 5.b. ...

c. Each location of class I, class VI and class VIII dealers, which fill DOT specification cylinders of 200 lbs. or less, liquefied petroleum gas capacity, that are in commerce or transportation, shall provide a suitable weighing device (scales).

6. Applicants shall have paid a permit fee in the amount of \$150, except for class VII-E, which shall be \$100, and class III which shall be \$500 and R-1, R-2 registrations, which shall be \$37.50 and class VI-X shall be in the amount of \$150 for each location. For fiscal year 2014-2015, and for each subsequent fiscal year, the permit fee shall be 0.1369 of 1 percent of annual gross sales of liquefied petroleum gas with a minimum of \$150 for each location. For classes not selling liquefied petroleum gases in succeeding years the permit fee shall be \$150, except registrations shall be \$37.50 per year.

6.a. - 7. ...

8. All service and installation personnel, fuel transfer personnel, carburetion mechanics and tank truck drivers shall have a card of competency from the office of the director. All permit holders, except class III and VI-X permit holders, shall have at least one card of competency issued to their permit. The commission may waive the one card of competency until the dealer commences operations in the state. A card of competency shall be issued to an applicant upon receipt of a \$20 examination fee and successfully passing the competency test, providing the applicant holds some form of identification acceptable to the commission. The commission may accept as its own a reciprocal state's examination which contains substantially equivalent requirements. This shall be evidenced by a letter from the issuing authority or a copy of a valid card issued by the reciprocal state. All applicable fees shall be paid prior to issuing the card.

a. - c.i.(d). ...

(e). Proof of a passing grade, for purposes of certification, shall be maintained in dealer employee file. The employer shall maintain this record until one year after the employment has terminated.

8.c.i.(f). - 15. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1846.

HISTORICAL NOTE: Adopted by the Department of Public Safety, Liquefied Petroleum Gas Commission, November 1972, amended December 1974, LR 1:315 (July 1975), LR 4:86 (March 1978), LR 7:633 (December 1981), amended by the Department of Public Safety and Corrections, Liquefied Petroleum Gas Commission, LR 11:557 (May 1985), LR 15:854 (October 1989), LR 16:1063 (December 1990), LR 20:1400 (December 1994), LR 24:461 (March 1998), LR 24:2311 (December 1998), LR 25:1262 (July 1999), LR 25:2410 (December 1999), LR 26:1487 (July 2000), LR 27:2256 (December 2001), LR 28:2553 (December 2002), LR 29:2509 (November 2003), LR 31:2567 (October 2005), LR 33:1140 (June 2007), effective July 1, 2007, LR 35:2201 (October 2009), LR 35:2465 (November 2009), LR 38:1256 (May 2012), LR 41:395 (February 2015), LR 42:427 (March 2016), LR 42:1671 (October 2016), LR 43:967 (May 2017).

**§113. Classes of Permits and Registrations**

A. - A.2.e. ...

3. Class III Brokers/Special Vendors. Holders of these permits may purchase liquefied petroleum gas only from liquefied petroleum gas dealers who hold a valid liquefied petroleum gas permit and resell the aforementioned

purchased liquefied petroleum gas product to end users utilizing floor maintenance machines/or industrial trucks (forklifts) on their premises. Holders of these permits shall not deliver gas or engage in repairing liquefied petroleum gas containers or systems.

a. Holders of these permits shall furnish evidence of general liability insurance in the minimum sum of \$1,000,000 per products liability coverage.

b. Shall submit a completed "location approval form" for each physical location being served, with a handling fee of \$150 for each location being served.

c. Compliance with all other rules and regulations is a mandatory requirement.

d. Shall provide 24 hour emergency contact information at each liquefied petroleum gas storage location. The person deemed the emergency contact shall have basic knowledge regarding liquefied petroleum gas emergencies and shall maintain contact information per the servicing liquefied petroleum gas supplier.

e. The class III permit holder shall post the servicing liquefied petroleum gas supplier's name (name on Louisiana liquefied petroleum gas permit) at each liquefied petroleum gas storage site and each end user's location.

4. - 13.c. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1846.

HISTORICAL NOTE: Adopted by the Department of Public Safety, Liquefied Petroleum Gas Commission, November 1972, amended December 1974, amended and promulgated LR 3:315 (July 1977), amended LR 7:633 (December 1981), LR 8:53 (January 1982), amended by the Department of Public Safety and Corrections, Liquefied Petroleum Gas Commission, LR 11:557 (May 1985), LR 12:841 (December 1986), LR 15:855 (October 1989), LR 16:1063 (December 1990), LR 19:904 (July 1993), LR 20:1400 (December 1994), LR 21:701 (July 1995), LR 24:461 (March 1998), LR 25:2411 (December 1999), LR 29:2509 (November 2003), LR 33:1141 (June 2007), effective July 1, 2007, LR 38:1259 (May 2012), LR 41:395 (February 2015), LR 43:967 (May 2017).

**Subchapter D. Forms and Reports**

**§159. Required Forms and Reports**

A. - A.7. ...

8. Location approval forms shall be in accordance with §113.A.3.b.

**Location Approval Form**

The submission of this form by a Class III dealer representative does not absolve the dealer of following the rules and regulations established by this Commission concerning the storage of liquefied petroleum gas. Due to the fact that all requisite details are not submitted regarding the storage locations referred to on this this form, it is, therefore assumed when approval is made on the information submitted, details regarding information not provided will comply with all regulations. Any changes to the cylinder location will require a new form to be submitted.

Name of Class III dealer submitting this form: \_\_\_\_\_  
Name of Dealer supplying gas: \_\_\_\_\_

Is storage location protected from vehicular impact?  Yes  No

Is storage location:  inside building or  outside building?

Is storage location the proper distance from electrical equipment, ignition sources, doors and windows?  Yes  No

Is Name of Class III Dealer, Supplier and 24 hour Emergency Contact on storage location?  Yes  No

Is all the proper signage displayed at storage location?  
 Yes  No

Does the public have access to the cylinder storage location?

Yes  No

If yes, please ensure sketch is submitted by properly permitted dealer.

Contact information for someone at cylinder location:

Name \_\_\_\_\_

Telephone Number \_\_\_\_\_

Please give brief description of storage area including distances to permanent reference points:

\_\_\_\_\_  
\_\_\_\_\_

All information submitted on this form has been verified as correct, and it is understood that any changes to this form shall require a new form to be submitted.

Signed (person in charge of insuring correctness of this form)

X \_\_\_\_\_

Date: \_\_\_\_\_

**FEE \$150.00**

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1846.

HISTORICAL NOTE: Adopted by the Department of Public Safety, Liquefied Petroleum Gas Commission, November 1972, amended December 1974, amended by the Department of Public Safety and Corrections, Liquefied Petroleum Gas Commission, LR 11:559 (May 1985), LR 15:861 (October 1989), LR 24:466 (March 1998), LR 38:1265 (May 2012), LR 41:395 (February 2015), LR 43:968 (May 2017).

John W. Alario  
Executive Director

1705#028

**RULE**

**Department of Public Safety and Corrections  
Office of the State Fire Marshal**

Code Enforcement and Building Safety  
Fire Protection  
(LAC 55:V.101, 103, Chapters 3 and 11, and 1501)

In accordance with the provisions of R.S. 40:1578.6(A), relative to the authority of the Office of State Fire Marshal to promulgate and enforce rules, the Office of State Fire Marshal has adopted the following Rule regarding the establishment of minimum standards.

**Title 55  
PUBLIC SAFETY  
Part V. Fire Protection**

**Chapter 1. Preliminary Provisions**

**§101. Request for Rule Change**

A. Anyone petitioning the assistant secretary of the Department of Public Safety, Office of the State Fire Marshal, commonly known as the Louisiana State Fire Marshal, for the adoption of, or change of, any rule shall submit in writing to the fire marshal at 8181 Independence Boulevard, Baton Rouge, LA 70806, an application containing the following basic information organized and captioned:

1. - 5.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40: 1563(F) and R.S. 40:1578.6(A).