



Department of Public Safety and Corrections
Public Safety Services

JOHN BEL EDWARDS
GOVERNOR

MICHAEL D. EDMONSON
DEPUTY SECRETARY, PUBLIC SAFETY SERVICES

January 10, 2017
VIA EMAIL

Speaker of the House
Taylor F. Barras

President of the Senate
John A. Alario, Jr.

House Committee on Judiciary
Katrina R. Jackson, Chairwoman

Senate Committee on Judiciary B
Gary Smith, Chairman

Re: Rules proposed by the Liquefied Petroleum Gas Commission to amend Section 107 with regards to general requirements of permit holders to include a change in filing fees and to amend Section 113 with regards to establishing a new permit for brokers/special vendors of liquefied petroleum gas.

Dear Mr. President, Mr. Speaker, Chairwoman Jackson and Chairman Smith,

Notice is hereby given that the LP Gas Commission (hereafter referred to as the Commission) has exercised the provisions in accordance with R.S. 49:953 et seq. of the Administrative Procedure Act to amend LAC 55:IX:107, 113 & 159 as authorized by R.S. 40:1846 (A) – (C).

The Commission has found a need to make the following changes:

The proposed amendment to Rule 107(A)(1) amends the permit application filing fee to \$150 for all applicants. Present law states that there is an application filing fee of \$100 per Class I and IV and \$50 for Class VI. The proposed amendment states that the associated filing fee for all applicants, including the new Class III, will be \$150.

The proposed amendment to Rule 107(A)(6) amends the permit fees to include the new Class III permit, which shall be \$500.

The proposed amendments to Rule 113 establishes the criteria for the Class III permits.

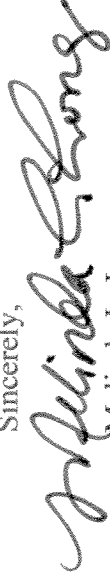
The proposed amendments to Rule 159 establish the “Location Approval Form”.

The following documents are attached for your review:

- (1) The text of the proposed rules;
- (2) The Fiscal and Economic Impact Statement submitted to and approved by the Legislative Fiscal Office;
- (3) The insertion order submitted to the Office of the State Register granting authority to publish the proposed Notice of Intent;

Thank you for your attention to this matter.

Sincerely,



Melinda L. Long
Attorney for LP Gas Commission
(225) 925-6103

Enclosures

NOTICE OF INTENT

Department of Public Safety and Correction Liquefied Petroleum Gas Commission Broker Permit/Miscellaneous Amendments (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, to amend, supplement and expand portions of and readopt LAC 55:I.Chapter 1 as authorized by R.S. 40:1846.

In particular, notice is given to amend LAC 55:IX.Chapter 1, Section 107 to require a permit for third party brokers who are instrumental in the sale and service of liquefied petroleum. In addition, filing fees for all applications will be \$150.

Title 55 PUBLIC SAFETY LIQUEFIED PETROLEUM GAS COMMISSION 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 all 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 1 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:

§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.

A.4 - A.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:

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 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) _____ Date: _____
X

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:

Family Impact Statement

The proposed Rule will not have any known or foreseeable impact on any family as defined by R.S. 49:972 D or on family formation, stability and autonomy. Specifically there should be no known or foreseeable effect on:

1. the stability of the family;
2. the authority and rights of parents regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budget;
5. the behavior and personal responsibility of the children.

Local governmental entities have the ability to perform the enforcement of the action proposed in accordance with R.S. 40:1730.23.

Small Business Impact Statement

The impact of the proposed Rule on small businesses has been considered and it is estimated that the proposed action is not expected to have a significant adverse impact on small businesses as defined in the Regulatory Flexibility Act. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in

the drafting of the proposed Rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed Rule on small businesses.

Poverty Statement

The impact of the proposed Rule on child, individual, or family poverty has been considered and it is estimated that the proposed action is not expected to have a significant adverse impact on poverty in relation to individual or community asset development as provided in the LA R.S. 49:973. The agency has considered economic welfare factors and, where possible, utilized regulatory methods in the drafting of the proposed Rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed Rule on poverty.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR 107) of the 2014 Regular Session of the Legislature, the provider impact of this proposed rule has been considered. It is anticipated that this proposed rule will have a positive impact on providers. However, the particular proposed rule does not impact or affect the staffing level requirements required to provide the same level of service.

Interested Persons

All interested persons are invited to submit written comments on the proposed regulation. Such comments should be submitted no later than February 10, 2017, at 4:30 p.m. to Melinda L. Long, Office of Legal Affairs, 7979 Independence Blvd., Baton Rouge, La. 70806. A public hearing will be scheduled if the requisite number of comments are received by the deadline date.

(SUBMIT A SEPARATE INSERTION ORDER PER DOCUMENT)

EMERGENCY RULE NOTICE OF INTENT RULE POTPOURRI

REFER TO INSTRUCTIONS ON REVERSE SIDE

This is your authority to publish in the (month) January, 2017 *Louisiana Register* the document indicated above.

LP Gas Commission

Office/Board/Commission promulgating this document

Department of Public Safety/Public Safety Services

Department under which office/board/commission is classified

John W. Alario Executive Director

(name) (title)

Name and title of person whose signature will appear in the publication (at the end of the document)

Melinda L. Long 225-925-6103 225-925-4624

(name) (phone) (fax)

Name, phone number, and FAX number of person to contact regarding this document

melinda.long@la.gov

E-mail address of contact person

Miscellaneous Amendments/New Permit

Short descriptive listing for this document to be used in the *Louisiana Register's* TABLE OF CONTENTS/INDEX

LP Gas New Permit

File name

Lt. Jason S. Starnes

Signature of Agency Head or Designee

Lt. Jason S. Starnes

Print Name and Title of Agency Head or Designee

Chief Admin. Officer

Important: If submitting both an Emergency Rule (ER) and a Notice of Intent (NOI) to be published this month, AND if the rule text in the ER is identical to the rule text in the NOI, check here:

CERTIFICATION OF AVAILABLE FUNDS DOCUMENT #

ISIS AGENCY: I certify the availability of fiscal year 17-18 appropriated funds for the payment of the above referenced publication and authorize the processing of an Interagency Billing with the following coding on the 30th of the month of the publication. Attach supplemental sheet for additional lines of coding.

| AGENCY | ORGANIZATION # | OBJECT | SUB-OBJECT | REPORTING CATEGORY |
|--------|----------------|--------|------------|--------------------|
| 424 | 2651 | 2710 | 01 | 6700 |

NON-ISIS AGENCY: I certify the availability of fiscal year _____ appropriated funds for the payment of the above referenced publication and agree to place corresponding invoice in line for payment upon receipt

Billing Address for Agencies:

Lt. Jason S. Starnes 225-925-6032

Signature of Agency Head or Designee - Phone #

Agency Name

Street Address or Post Office Box

City

State

Zip Code

Lines/Other Charges _____ Typesetting \$ _____ TOTAL \$ _____

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

Person Preparing Statement: Melinda L. Long Dept: Department of Public Safety and Corrections
Phone: (225) 925-6103 Office: LP Gas Commission
Address: P. O. Box 66209
Baton Rouge, Louisiana 70896 Title: Liquefied Petroleum Gas Broker Permit

Date Rule
Takes Effect: April 20, 2017 or upon promulgation

SUMMARY
(Use complete sentences)

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal, or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes will result in a one-time marginal increase in administrative costs for the Liquefied Petroleum Gas Commission associated with generating and processing forms associated with Class III permit location approval forms. The associated costs and workload will be marginal and absorbed using the agency's current personnel and budget authority. The proposed rule changes reflect policies adopted by the Commission to permit third-party brokers of liquefied petroleum gas.

The proposed amendments to Rule 107(A)(1) alter the provision requiring applicants to pay an application filing fee of \$100 per Class I and IV permit, \$50 per Class VI permit, and \$25 for all other permit classes, and sets a flat \$150 filing fee for all permit classes. The proposed changes to Rule 107(A)(6) amend the permit fee schedule to include the permit fee for the new Class III permit, which shall be \$500. The proposed amendments to Rule 113 implements the criteria for the Class III permits. The proposed amendments to Rule 159 establish the "Location Approval Form" for the Class III permits.

The proposed rule changes will not result in any costs for local governmental units, nor will it result in any savings to state or local governmental units.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change will increase revenue collections for the LP Gas Commission by an indeterminable amount. Present rule states that there is a one-time application filing fee of \$100 per Class I and IV permit, \$50 per Class VI permit, and \$25 per permit for all other permit classes. The proposed amendment states that the associated filing fee for all applicants, including the new Class III, will be \$150. The proposed rule also states that a Class III permit fee is \$500. Furthermore, any revenues generated by the proposed rule change will be offset by an indeterminable amount as a result of different permittees previously paying different filing fees. The revenue offset is indeterminable using historical data, because the number of applications for each different permit type vary from year to year.

The LP Gas Commission anticipates 55-57 total permit applications in FY 17 based upon historical totals. As a result, the new \$150 application filing fee may generate a total increase of approximately \$8,250-\$8,550 in gross revenues. However, any increased revenues would be offset by an indeterminable amount, as different permit classes previously paid different filing fees ranging from \$25 - \$100. For informational purposes, the three-year average of revenues derived from LP gas application filings from FY 14 – 16 totaled approximately \$9,800.

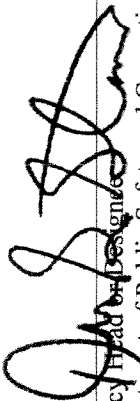
III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

The proposed rule change will affect new third party brokers of liquefied petroleum gas and dealers that have to apply for a permit. Previously dealers paid a filing fee of \$25-\$100. The proposed change to Rule 107(A)(6) states that all applicants will now pay \$150. Dealers of LP gas will realize a cost increase related to permit filing fees ranging from \$50 - \$125 as a result of the new \$150 fee for all permits. Furthermore, the proposed rule change establishes the \$500 fee for Class III permits, which LP gas dealers hoping to receive Class III status must pay. There is currently one LP gas dealer waiting to register as a Class III dealer.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule increases the cost of business for liquefied petroleum gas dealers statewide by increasing the permit filing fee to \$150 from a previous range of \$25-\$100. Some dealers may be adversely affected by the higher filing fee, though the effect of the higher fee will likely be marginal and not affect aggregate business activity statewide.

The proposed rule will not affect employment.



Agency Head or Designee
Department of Public Safety and Corrections



Evan Bramf, Staff Director
Legislative Fiscal Office



Date of Signature



Date of Signature

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

The following information is required in order to assist the Louisiana Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

A. Provide a brief summary of the content of the rule (if proposed for adoption, or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

The Department is proposing to amend its permit application filing fee to \$150 for all applicants. Present law states that there is an application filing fee of \$100 per Class I and IV and \$50 for Class VI. The proposed amendment states that the associated filing fee for all applicants, including the new Class III, will be \$150.

The proposed amendment to Rule 107(A)(6) amends the permit fees to include the new Class III permit, which shall be \$500.

The proposed amendments to Rule 113 establishes the criteria for the Class III permits.

The proposed amendments to Rule 159 establish the "Location Approval Form".

B. Summarize the circumstances which require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

This rule change is not required by federal regulation.

C. Compliance with Act 11 of the 1986 First Extraordinary Session:

(1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

There will be no increase in the expenditure of funds.

(2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

(a) _____ Yes. If yes, attach documentation.

(b) _____ No. If no, provide justification as to why this rule change should be published at this time.

This question is NOT applicable as a result of the answer to C (1).

FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

| COSTS | FY 16-17 | FY 17-18 | FY 18-19 |
|------------------------|-----------|----------|----------|
| PERSONAL SERVICES | \$0 | \$0 | \$0 |
| OPERATING EXPENSES | SEE BELOW | \$0 | \$0 |
| PROFESSIONAL SERVICES | \$0 | \$0 | \$0 |
| OTHER CHARGES | \$0 | \$0 | \$0 |
| EQUIPMENT | \$0 | \$0 | \$0 |
| MAJOR REPAIR & CONSTR. | \$0 | \$0 | \$0 |
| TOTAL | \$0 | \$0 | \$0 |
| POSITION(#) | \$0 | \$0 | \$0 |

2. Provide a narrative explanation of the costs or savings shown in "A.1.," including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

The proposed rule changes will result in marginal administrative costs for the Liquefied Petroleum Gas Commission associated with generating and processing forms associated with Class III permit location approval forms. The associated costs and workload will be marginal and absorbed using the agency's current personnel and budget authority. The proposed rule changes reflect policies adopted by the Commission to permit third-party brokers of liquefied petroleum gas.

3. Sources of funding for implementing the proposed rule or rule change.

| SOURCE | FY 16-17 | FY 17-18 | FY 18-19 |
|---------------------------------|-----------|----------|----------|
| STATE GENERAL FUND | | | |
| AGENCY SELF-GENERATED DEDICATED | SEE BELOW | | |
| FEDERAL FUNDS | | | |
| OTHER (Specify) | | | |
| TOTAL | \$0 | \$0 | \$0 |

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

There will be no new implementation costs as a result of this rule change.

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

The proposed rule will have no impact on local governmental units. This law is enforced by the state.

2. Indicate the source of funding of the local governmental unit which will be affected by these costs or savings.

No funding will be necessary as local government will not be affected.

FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

A. What increase (decrease) in revenues can be anticipated from the proposed action?

| REVENUE INCREASE/DECREASE STATE GENERAL FUND | FY 16-17 | FY 17-18 | FY 18-19 |
|---|------------|------------|------------|
| | \$0 | \$0 | \$0 |
| AGENCY SELF-GENERATED | \$0 | \$0 | \$0 |
| DEDICATED FUNDS* | INCREASE | INCREASE | INCREASE |
| FEDERAL FUNDS | \$0 | \$0 | \$0 |
| LOCAL FUNDS | \$0 | \$0 | \$0 |
| TOTAL | \$0 | \$0 | \$0 |

*Specify the particular fund being impacted.

“Liquefied Petroleum Gas Commission Rainy Day Fund”

B. Provide a narrative explanation of each increase or decrease in revenues shown in “A.”
Describe all data, assumptions, and methods used in calculating these increases or decreases.

The proposed rule change will increase revenue collections for the LP Gas Commission by an indeterminable amount. Present rule states that there is a one-time application filing fee of \$100 per Class I and IV permit. \$50 per Class VI permit, and \$25 per permit for all other permit classes. The proposed amendment states that the associated filing fee for all applicants, including the new Class III, will be \$150. The proposed rule also states that a Class III permit fee is \$500. Furthermore, any revenues generated by the proposed rule change will be offset by an indeterminable amount as a result of different permittees previously paying different filing fees. The revenue offset is indeterminable using historical data, because the number of applications for each different permit type vary from year to year.

The LP Gas Commission anticipates 55-57 total permit applications in FY 17 based upon historical totals. As a result, the new \$150 application filing fee may generate a total increase of approximately \$8,250-\$8,550 in gross revenues. However, any increased revenues would be offset by an indeterminable amount, as different permit classes previously paid different filing fees ranging from \$25 - \$100. For informational purposes, the three-year average of revenues derived from LP gas application filings from FY 14 – 16 totaled approximately \$9,800.

FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR
NONGOVERNMENTAL GROUPS

A. What persons or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

The proposed rule change will affect new third party brokers of liquefied petroleum gas and dealers that have to apply for a permit. Previously dealers paid a filing fee of \$25-\$100. The proposed change to Rule 107(A)(6) states that all applicants will now pay \$150. Dealers of LP gas will realize a cost increase related to permit filing fees ranging from \$50 - \$125 as a result of the new \$150 fee for all permits. Furthermore, the proposed rule change establishes the \$500 fee for Class III permits, which LP gas dealers hoping to receive Class III status must pay. There is currently one LP gas dealer waiting to register as a Class III dealer.

B. Also provide an estimate and a narrative description of any impact on receipts and/or income (revenue) resulting from this rule or rule change to these groups.

The proposed rules will not affect income or receipts for the liquefied petroleum gas industry, as all costs included in the proposed rules are front-end expenditures necessary to operate legally in Louisiana.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

The proposed rule increases the cost of business for liquefied petroleum gas dealers statewide by increasing the permit filing fee to \$150 from a previous range of \$25-\$100. Some dealers may be adversely affected by the higher filing fee, though the effect of the higher fee will likely be marginal and not affect aggregate business activity statewide.

The proposed rule will not affect employment.