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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 270 Session of  
2015

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INTRODUCED BY REGAN, KILLION, D. COSTA, DAY, COHEN AND KORTZ,  
FEBRUARY 2, 2015

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REFERRED TO COMMITTEE ON TRANSPORTATION, FEBRUARY 2, 2015

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AN ACT

1 Amending the act of February 11, 1998 (P.L.58, No.15), entitled  
2 "An act providing for the regulation of combustible and  
3 flammable liquids; allocating functions of the Department of  
4 Labor and Industry and the Pennsylvania State Police;  
5 imposing penalties; and making repeals," further providing  
6 for regulations.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Section 4(d) of the act of February 11, 1998  
10 (P.L.58, No.15), known as the Combustible and Flammable Liquids  
11 Act, is amended by adding paragraphs to read:

12 Section 4. Regulations.

13 \* \* \*

14 (d) Operating requirements for attended self-service motor  
15 fuel-dispensing facilities.--

16 \* \* \*

17 (1.1) No later than July 1, 2016, each retail service  
18 station must be capable of operating using an alternate  
19 generated power source for a minimum of 72 hours. Each retail  
20 service station must have an alternate power source available

1 for operation no later than 24 hours after the declaration of  
2 a disaster emergency as defined under 35 Pa.C.S. § 7102  
3 (relating to definitions).

4 (1.2) The following shall apply:

5 (i) Each newly constructed or substantially  
6 renovated retail service station for which a certificate  
7 of occupancy is issued on or after July 1, 2015, must be  
8 prewired with an appropriate transfer switch and capable  
9 of operating all dispensing devices and equipment, life-  
10 safety systems and payment-acceptance equipment using an  
11 alternate generated power source.

12 (ii) Each retail service station subject to this  
13 paragraph must keep:

14 (A) a copy of the certificate of occupancy on  
15 site or at the retail service station's corporate  
16 headquarters; and

17 (B) a written statement attesting to the  
18 periodic testing of and ensured operational  
19 capability of the equipment.

20 (iii) The documents required under subparagraph (ii)  
21 must be made available, upon request, to the Pennsylvania  
22 Emergency Management Agency and to the county emergency  
23 management coordinator where the retail service station  
24 is located.

25 (iv) For purposes of this paragraph, the term  
26 "substantially renovated" means a renovation that results  
27 in an increase of greater than 50% in the assessed value  
28 of the retail service station.

29 (1.3) No later than July 1, 2015, each of the following  
30 retail service stations which are located within one-half

1 mile proximate to an Interstate highway or federally or  
2 State-designated evacuation route must be prewired with an  
3 appropriate transfer switch and be capable of operating all  
4 dispensing devices and equipment, life-safety systems and  
5 payment-acceptance equipment using an alternate generated  
6 power source within 24 hours:

7 (i) A retail service station:

8 (A) located in a county with a population of at  
9 least 300,000, based on the most recent Federal  
10 decennial census; and

11 (B) which has at least 16 fuel-dispensing  
12 devices.

13 (ii) A retail service station:

14 (A) located in a county with a population of at  
15 least 100,000, but less than 300,000, based on the  
16 most recent Federal decennial census; and

17 (B) which has at least 12 fuel-dispensing  
18 devices.

19 (iii) A retail service station:

20 (A) located in a county with a population of at  
21 least 100,000, based on the most recent Federal  
22 decennial census; and

23 (B) which has at least eight fuel-dispensing  
24 devices.

25 (1.4) Installation of an appropriate wiring and transfer  
26 switch required under this subsection must be performed by a  
27 certified electrical contractor.

28 \* \* \*

29 Section 2. This act shall take effect in 60 days.