

2011 -- S 0284

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS - PROPANE GAS SALES

Introduced By: Senators P Fogarty, Gallo, Tassoni, Goodwin, and Nesselbush

Date Introduced: February 16, 2011

Referred To: Senate Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 5-83 of the General Laws entitled "Propane Gas Sales" is hereby
2 amended by adding thereto the following sections:

3 **5-83-2. Actual cost of propane (ACOP).** -- Any propane gas dealer and/or supplier shall
4 include any and all fees associated with the sale of propane gas in the actual delivered price per
5 gallon of propane.

6 **5-83-3. Propane tank supply.** -- (a) If a propane tank/receptacle is supplied by a dealer
7 and/or supplier to the consumer for an open or ongoing period of at least three (3) years, the
8 consumer shall have the option of purchasing the tank at the cost together with the cost of
9 installation on the date of its installation. The dealer and/or supplier shall recoup the expense of
10 such costs over the three (3) year period in its billings to the consumer provided that such cost
11 will be pro-rated over the three (3) year period.

12 (b) Tanks that have been furnished to existing customers may at the option of the
13 customer, be purchased by the customer in the same manner. Each commercial dealer and/or
14 supplier of propane gas shall notify each customer of the option to purchase. The customer may
15 provide his/her own propane gas tank/receptacle pending inspection at a reasonable and
16 customary cost to the consumer. The customer is responsible for keeping the propane gas
17 tank/receptacle in a safe operating condition at all times. The dealer and/or supplier shall notify
18 each customer of the option to purchase propane tanks contained herein.

19 **5-83-4. Termination of service.** -- (a) When a propane gas consumer terminates their

1 business relationship with a propane gas dealer and/or supplier, that dealer and/or supplier shall:

2 (1) Have ten (10) business days to remove their propane gas tank/receptacle from the
3 consumer's property.

4 (2) Reimburse the consumer for any unused propane gas within thirty (30) days at the
5 purchased price; and

6 (3) Be prohibited from charging the consumer with a disconnect and/or removal fee.

7 **5-83-5. Denial of service. --** A commercial dealer and/or supplier of propane gas who
8 delivers such propane gas to residential consumers shall not deny service to those consumers who
9 are current or who are no more than thirty (30) days past due on their account with the dealer
10 and/or supplier.

11 **5-83-6. Enforcement and penalties. --** (a) It shall be the duty of the attorney general of
12 this state to enforce and restrain the violations of this chapter.

13 (b) Any violation of this chapter by a propane gas dealer and/or supplier shall be
14 considered a misdemeanor and upon conviction thereof shall be punished by a fine of not more
15 than one thousand dollars (\$1,000).

16 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO BUSINESSES AND PROFESSIONS - PROPANE GAS SALES

- 1 This act would add several consumer protection sections to the provisions of the general
- 2 laws regulating propane gas sales.
- 3 This act would take effect upon passage.

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