

SENATE BILL 2717

By Ketron

AN ACT to amend Tennessee Code Annotated, Title 29,
Chapter 34, Part 2, relative to tort liability for
compressed natural gas.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, Part 2, is amended by adding the following language as a new, appropriately designated section:

29-34-2__.

(a) As used in this section, unless the context otherwise requires:

(1) "Natural gas equipment" means storage vessels, compressors, dryers, dispensers, piping, compressed or liquefied gas appliances, or any other item that is installed by a natural gas provider; and

(2) "Natural gas provider" means any person or entity engaged in the business of supplying, handling, transporting, or selling at retail compressed or liquefied natural gas intended for use with properly constructed, inspected, and certified vehicle fuel systems in this state.

(b) A natural gas provider shall be immune from civil liability, if the proximate cause of the injury or damages was caused by:

(1) An alteration, modification or repair of gas equipment that could not have been discovered by the natural gas provider in the exercise of reasonable care; or

(2) The use of natural gas equipment in a manner or for a purpose other than that for which the natural gas equipment was intended to be used or could reasonably have been foreseen; provided, that the natural gas provider or the manufacturer of the natural gas equipment has taken reasonable steps to warn

the ultimate consumer of the hazards associated with foreseeable misuses of the equipment.

(c) Nothing in this section shall be construed as affecting, modifying, or eliminating the liability of a manufacturer of natural gas equipment or its employees under any legal claim, including, but not limited to, product liability claims.

(d) No defendant may allege or prove that a person or entity caused or contributed to causing a plaintiff's injuries, death, or other losses, unless the plaintiff could have maintained an action against the person.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.