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HOUSE BILL 290

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Patricia A. Lundstrom

AN ACT

RELATING TO OIL AND GAS; PROVIDING FOR CIVIL LIABILITY FOR  
PERSONS LICENSED TO WORK WITH COMPRESSED NATURAL GAS AND  
LIQUIFIED PETROLEUM GAS; ENACTING A SECTION OF THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the LPG and CNG Act is  
enacted to read:

" [NEW MATERIAL] LIABILITY. --

A. A person licensed and engaged in the  
manufacturing, assembling, repairing, selling or installing of  
containers, appliances or equipment to be used with LP gases as  
a fuel shall be liable for actual or punitive damages for  
injuries to persons or property that result from the  
manufacturing, assembling, repairing, selling or installing of  
containers, appliances or equipment to be used with LP gases as

underscored material = new  
[bracketed material] = delete

1 a fuel by a non-licensed person if the licensee had written or  
2 actual knowledge of the manufacturing, assembling, repairing,  
3 selling or installing of containers, appliances or equipment to  
4 be used with LP gases as a fuel and failed to inspect within  
5 thirty days after receipt of the notice or actual knowledge.

6 B. A licensee shall be exempt from the liability of  
7 Subsection A of this section if there was not written notice or  
8 actual knowledge of any work performed by a non-licensed  
9 person.

10 C. Nothing in this section is intended to limit the  
11 liability of a person for damages that arise directly from his  
12 gross negligence or willful or wanton acts. "

13 Section 2. EFFECTIVE DATE. --The effective date of the  
14 provisions of this act is July 1, 2003.

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