

PUBLIC PROTECTION CABINET
Department of Housing, Buildings and Construction
Licensing Branch
(Amendment)

815 KAR 30:010. LP gas license; financial responsibility required

RELATES TO: KRS 234.120, 234.130

STATUTORY AUTHORITY: KRS 234.120(3)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 234.120 authorizes the commissioner to promulgate reasonable administrative regulations requiring proof of ability to respond in damages for personal injury and property damages in the minimum amounts required under KRS 234.120(1). This administrative regulation establishes the initial application and renewal requirements for LP gas license applicants and LP gas licensees.

Section 1. Definitions.

- (1) "Liquefied petroleum gas" or "LP gas" is defined by KRS 234.100.
- (2) "LP Gas License, Class A" means a license required for a person to engage in the liquefied petroleum gas business as described in KRS 234.120(1)(a).
- (3) "LP Gas License, Class B" means a license required for a person to engage in the liquefied petroleum gas business as described in KRS 234.120(1)(b).
- (4) "LP Gas License, Class C" means a license required for a person to engage in the liquefied petroleum gas business as described in KRS 234.120(1)(c).
- (5) "LP Gas License, Class D" means a license required for a person to engage in the liquefied petroleum gas business as described in KRS 234.120(1)(d).
- (6) "LP Gas License, Class E" means a license required for a person to engage in the liquefied petroleum gas business as described in KRS 234.120(1)(e).

Section 2. Initial Application Requirements. An applicant for a LP gas license, class A, class B, class C, class D, or class E shall submit to the department:

- (1) A completed License Application to Engage in the Liquefied Petroleum (LP) Gas Business, Form HAZMAT 38-01;
- (2) The applicable prorated fee required by KRS 234.120(1); and
- (3) Proof of minimum liability insurance as required by KRS 234.120(1).

Section 3. Proof of Insurance. An applicant shall provide proof of minimum liability insurance by providing an insurance certificate from an insurance provider approved by the Kentucky Department of Insurance with the Department of Housing, Buildings and Construction named as the certificate holder.

Section 4. Renewal Requirements.

- (1) Initial licenses shall expire on the last day of the licensee's birth month or month of incorporation in the next even-numbered year. Renewed licenses shall be valid for one (1) year and shall expire on the last day of the licensee's birth month or month of incorporation.
- (2) To renew a LP gas license a licensee shall submit to the department:
 - (a) A completed Form HAZMAT 38-01;
 - (b) The applicable fee required by KRS 234.120(1); and
 - (c) Proof of minimum liability insurance as required by KRS 234.120(1).

Section 5. Incorporation by Reference.

- (1) "License Application to Engage in the Liquefied Petroleum (LP) Gas Business", Form HAZMAT 38-01, April 2021, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Housing, Buildings and Construction, Licensing Branch, 500 Mero Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. and is available online at dhbc.ky.gov.

(1 Ky.R. 96; eff. 11-13-1974; Recodified from 806 KAR 50:060, 7-5-1978; Am. 15 Ky.R. 2300; eff. 7-7-1989; 19 Ky.R. 825; eff. 11-9-1992; 20 Ky.R. 1700; 2354; eff. 3-14-1994; 21 Ky.R. 1792; eff. 3-6-1995; TAm eff. 8-9-2007; 48 Ky.R. 633; eff. 3-1-2022.)

KERRY B. HARVEY, Secretary
RICK W. RAND, Commissioner

APPROVED BY AGENCY: July 6, 2021

FILED WITH LRC: July 6, 2021 at 12:27 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on September 27, 2021 at 10:00 a.m., eastern time, in the Department of Housing, Buildings and Construction, 500 Mero Street, First Floor, Frankfort, Kentucky 40601. Individuals interest in being heard at this hearing shall notify this agency in writing by five working days prior to the hearing of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. The hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through September 30, 2021 at 11:59 p.m., eastern time. Send written notification of the intent to be head at the public hearing or written comments on the proposed administrative regulation by the above date to the contact person below:

CONTACT PERSON: Benjamin Siegel, General Counsel, Department of Housing, Buildings and Construction, 500 Mero Street, 1st Floor, Frankfort, Kentucky 40601, phone (502) 782-0604, fax (502) 573-1057, email benjamin.siegel@ky.gov.