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

RELATES TO: KRS 234.120, 234.130

STATUTORY AUTHORITY: KRS 234.120(3)

CERTIFICATION STATEMENT:

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.)