

234.120 License and minimum liability insurance requirements -- Fees -- More than one place of business -- Proof of financial responsibility -- License suspension or revocation.

- (1) Subject to the exceptions provided in subsection (2), no person shall engage in any of the businesses set out in this subsection without first having provided proof to the commissioner of ability to respond in damages for personal injury and property damages in the amount prescribed, and having obtained from the commissioner the required license or licenses and paid the prescribed fee therefor:
 - (a) Selling or delivering to the ultimate consumer or user of liquefied petroleum gas; selling liquefied petroleum gas regulating equipment; repairing, installing, or connecting of containers, liquefied petroleum gas appliances, or liquefied petroleum gas utilization equipment; or filling of D.O.T. liquefied petroleum gas containers for ultimate consumer or wholesale dealer. In-state liquefied petroleum gas dealers, except those holding a valid license on July 15, 1994, shall maintain a liquefied petroleum gas storage facility with an eighteen thousand (18,000) gallon minimum capacity within the boundaries of Kentucky. Out-of-state liquefied petroleum gas dealers, except those holding a valid license on July 15, 1994, shall maintain an eighteen thousand (18,000) gallon minimum capacity liquefied petroleum gas storage facility within fifty (50) miles of the Kentucky border. Until January 1, 2002, the fee for this license shall be one hundred dollars (\$100). Beginning on January 1, 2002, the fee for this license shall be two hundred dollars (\$200), and the license shall be issued for a period of two (2) years. The minimum liability insurance for this license shall be one million dollars (\$1,000,000).
 - (b) Selling or delivering liquefied petroleum gas in prefilled or filled-on-site containers of one hundred (100) pound liquefied petroleum gas capacity or less; selling of liquefied petroleum gas regulating equipment; assembly, repairing, installing, or connecting of liquefied petroleum gas containers, liquefied petroleum gas appliances, or any liquefied petroleum gas utilization equipment. Until January 1, 2002, the fee for this license shall be fifty dollars (\$50). Beginning on January 1, 2002, the fee for this license shall be one hundred dollars (\$100), and the license shall be issued for a period of two (2) years. The minimum liability insurance for this license shall be five hundred thousand dollars (\$500,000).
 - (c) Selling or filling of D.O.T. liquefied petroleum gas containers of forty-five (45) pounds or less capacity, or selling liquefied petroleum gas at a specific site for use as a motor vehicle fuel. Until January 1, 2002, the fee for this license shall be fifty dollars (\$50). Beginning on January 1, 2002, the fee for this license shall be one hundred dollars (\$100), and the license shall be issued for a period of two (2) years. The minimum liability insurance for this license shall be five hundred thousand dollars (\$500,000).
 - (d) Storing, for resale, liquefied petroleum gas in D.O.T. containers of forty-five (45) pounds or less capacity, or selling D.O.T. containers, storage cabinets, racks, docks, for storage of forty-five (45) pound

capacity or less. Until January 1, 2001, the fee for this license shall be twenty-five dollars (\$25). Beginning on January 1, 2001, the fee for this license shall be fifty dollars (\$50), and the license shall be issued for a period of two (2) years. The minimum liability insurance for this license shall be one hundred thousand dollars (\$100,000).

- (e) Assembling, repairing, installing, or connecting of liquefied petroleum gas containers, or regulating equipment, or liquefied petroleum gas appliances, or any liquefied petroleum gas utilization equipment. Until January 1, 2001, the fee for this license shall be twenty-five dollars (\$25). Beginning on January 1, 2001, the fee for this license shall be fifty dollars (\$50), and the license shall be issued for a period of two (2) years. The minimum liability insurance for this license shall be five hundred thousand dollars (\$500,000).
- (2) Any person engaged in any business for which a license is required under the provisions of subsection (1) and who engages in the business at more than one (1) office or place of business in this state shall obtain a separate license for each such office or place of business and shall pay therefor the required license fee; except that for the purposes of issuance of licenses under subsection (1) all facilities for the storage only of liquefied petroleum gas for resale within a radius of twenty (20) miles of an office or place of business shall be considered a part of the office or place of business and shall not require separate licensure.
- (3) The commissioner shall further have the authority to promulgate and enforce reasonable administrative regulations requiring proof of ability to respond in damages for personal injury and property damages in the minimum amounts required under the provisions of subsection (1), prior to the issuance of a license. The commissioner shall also have authority to suspend or revoke any license issued under this section for willful or gross negligence or for violation of any applicable administrative regulations promulgated under KRS 227.300, but any licensee whose license is suspended or revoked shall be afforded the opportunity for an administrative hearing conducted in accordance with KRS Chapter 13B.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 496, effective July 15, 2010. -- Amended 2000 Ky. Acts ch. 153, sec. 1, effective July 14, 2000. -- Amended 1996 Ky. Acts ch. 318, sec. 153, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 153, sec. 1, effective July 15, 1994. -- Amended 1960 Ky. Acts ch. 138, sec. 3, effective June 16, 1960. -- Created 1952 Ky. Acts ch. 25, sec. 3.