

FEB 10 1977

Reprinted 5/77

HOUSE FILE 158

House File 158 *2/18* GOVERNMENT
State Government *Amended*
Tauke, chair *Do Pass 4/25 (1638)*
Hansen
Walter

By CONNORS, HANSEN, DOYLE,
HARPER, KOGLER and
BRUNOW

Passed House, Date 5-11-77 (p. 2088) Passed Senate, Date _____
Vote: Ayes 77 Nays 0 Vote: Ayes _____ Nays _____
Approved 7/7/77

A BILL FOR

- 1 An Act relating to the storage of flammable and combustible
- 2 liquids.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HOUSE FILE 158

H-3891

- 1 Amend House File 158 as follows:
- 2 1. Page 1, by adding after line 11 the follow-
- 3 ing:
- 4 "NEW SECTION. If the state fire marshal has
- 5 reasonable grounds for believing that a leak constitutes
- 6 a hazardous condition which threatens the public health
- 7 and safety, he may request the assistance of the depart-
- 8 ment of environmental quality, and upon such request
- 9 the department of environmental quality is empowered to
- 10 eliminate the hazardous condition as provided in House
- 11 File 490 as enacted by the Sixty-seventh General Assembly,
- 12 1977 Session, the provisions of section 10, paragraph 3,
- 13 of that Act to the contrary notwithstanding."

H-3891 FILED - *Adopted 5/11* BY EVANS of Grundy
APRIL 29, 1977 *(p. 2088)* MIDDLESWART of Warren

HOUSE FILE 158

H-4112

- 1 Amend the Committee Amendment H-3766 to House
- 2 File 158, as follows:
- 3 1. Line 11, by inserting after the word "each"
- 4 the word "tank".
- 5 2. Line 14, by inserting after the word "each".
- 6 the word "tank".
- 7 3. Line 19, by inserting after the word
- 8 "Intrastate" the word "tank".

H-4112 FILED *Adopted 5/11* BY BENNETT of Ida
MAY 11, 1977 *(p. 2087)* TAUKE of Dubuque
HANSEN of O'Brien
WALTER of Pottawattamie

1 Section 1. Chapter one hundred one (101), Code 1977, is
2 amended by adding the following new section:

3 NEW SECTION. If the state fire marshal has reasonable
4 grounds for believing that a leak exists in a flammable or
5 combustible liquid storage tank or in the distribution system
6 of a flammable or combustible liquid storage tank the state
7 fire marshal shall issue a written order to the owner or
8 lessee of the storage tank or distribution system requiring
9 the storage tank and distribution system be emptied and re-
10 moved or repaired immediately upon receipt of the written
11 order.

12 Sec. 2. This Act is effective January 1, 1978.

13 EXPLANATION

14 This bill requires the state fire marshal to issue a writ-
15 ten order mandating the emptying and removal or repair of
16 a flammable or combustible liquid storage tank and distribution
17 systems when the state fire marshal has reasonable grounds
18 for believing that a leak exists in the storage tank or its
19 distribution system.

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H-3766

1 Amend House File 158 as follows:

2 1. Page 1, line 4, by inserting after the word
3 "believing" the words "after conducting tests".

4 2. Page 1, by inserting after line 11, the follow-
5 ing:

6 "Sec. 2. Section three hundred twenty-seven A
7 point eight (327A.8), Code 1977, is amended by striking
8 the section and inserting in lieu thereof the
9 following:

10 327A.8 MARKINGS ON VEHICLES. There shall be
11 attached to each vehicle used for the intrastate
12 transportation of liquid distinctive markings or tags
13 as shall be prescribed by the board.

14 There shall be attached to each vehicle used for
15 the intrastate transportation of any flammable liquid
16 distinctive markings or tags on each side and rear
17 in letters a minimum of four inches high and a minimum
18 width of five-eighths of an inch.

19 Intrastate vehicles transporting flammable liquids
20 pursuant to the provisions of this section shall
21 utilize the following options:

22 1. A sign or lettering with the word "FLAMMABLE".

23 2. The common name of the flammable liquid being
24 transported.

25 3. The name or trademark of the carrier when the
26 name or trademark plainly indicates the flammable
27 nature of the cargo.

28 Vehicles in conformity with the federal depart-
29 ment of transportation rules pertaining to the
30 transportation of flammable liquids shall be deemed
31 to be in compliance with the provisions of this
32 section."

33 3. Title page, line 1, by inserting after the
34 word "storage" the words "and transportation".

35 4. By renumbering the remaining section in
36 accordance with this amendment.

H-3766 FILED *Adopted in* BY COMMITTEE ON STATE GOVERNMENT
APRIL 26, 1977 *amended by* MONROE of Des Moines, Chair
4/11/2 5/11 (p. 2087)

HOUSE FILE 158

By CONNORS, HANSEN, DOYLE,
HARPER, KOOGLER and
BRUNOW

(As Amended and Passed by the House)

Passed House, Date 5-16-77 (p. 3088) Passed Senate, Date 5-16-77 (p. 1541)

Vote: Ayes 37 Nays 0 Vote: Ayes 47 Nays 0

Approved 7-7-95

A BILL FOR

✓ 1 An Act relating to the storage and transportation of flammable
2 and combustible liquids.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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House Amendments _____

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1 Section 1. Chapter one hundred one (101), Code 1977, is
2 amended by adding the following new section:

3 NEW SECTION. If the state fire marshal has reasonable
4 grounds for believing after conducting tests that a leak
5 exists in a flammable or combustible liquid storage tank or
6 in the distribution system of a flammable or combustible
7 liquid storage tank the state fire marshal shall issue a
8 written order to the owner or lessee of the storage tank or
9 distribution system requiring the storage tank and distribution
10 system be emptied and removed or repaired immediately upon
11 receipt of the written order.

12 NEW SECTION. If the state fire marshal has reasonable
13 grounds for believing that a leak constitutes a hazardous
14 condition which threatens the public health and safety, he
15 may request the assistance of the department of environmental
16 quality, and upon such request the department of environmental
17 quality is empowered to eliminate the hazardous condition
18 as provided in House File 490 as enacted by the Sixty-seventh
19 General Assembly, 1977 Session, the provisions of section
20 10, paragraph 3, of that Act to the contrary notwithstanding.

21 Sec. 2. Section three hundred twenty-seven A point eight
22 (327A.8), Code 1977, is amended by striking the section and
23 inserting in lieu thereof the following:

24 327A.8 MARKINGS ON VEHICLES. There shall be attached
25 to each tank vehicle used for the intrastate transportation
26 of liquid distinctive markings or tags as shall be prescribed
27 by the board.

28 There shall be attached to each tank vehicle used for the
29 intrastate transportation of any flammable liquid distinctive
30 markings or tags on each side and rear in letters a minimum
31 of four inches high and a minimum width of five-eighths of
32 an inch.

33 Intrastate tank vehicles transporting flammable liquids
34 pursuant to the provisions of this section shall utilize the
35 following options:

1 1. A sign or lettering with the word "FLAMMABLE".

2 2. The common name of the flammable liquid being
3 transported.

4 3. The name or trademark of the carrier when the name
5 or trademark plainly indicates the flammable nature of the
6 cargo.

7 Vehicles in conformity with the federal department of
8 transportation rules pertaining to the transportation of
9 flammable liquids shall be deemed to be in compliance with
10 the provisions of this section.

11 Sec. 3. This Act is effective January 1, 1978.

12 EXPLANATION

13 This bill requires the state fire marshal to issue a writ-
14 ten order mandating the emptying and removal or repair of
15 a flammable or combustible liquid storage tank and distribution
16 systems when the state fire marshal has reasonable grounds
17 for believing that a leak exists in the storage tank or its
18 distribution system.

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HOUSE FILE 158

AN ACT

RELATING TO THE STORAGE AND TRANSPORTATION OF FLAMMABLE AND COMBUSTIBLE LIQUIDS.

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

Section 1. Chapter one hundred one (101), Code 1977, is amended by adding the following new sections:

NEW SECTION. If the state fire marshal has reasonable grounds for believing after conducting tests that a leak exists in a flammable or combustible liquid storage tank or in the distribution system of a flammable or combustible liquid storage tank the state fire marshal shall issue a written order to the owner or lessee of the storage tank or distribution system requiring the storage tank and distribution system be emptied and removed or repaired immediately upon receipt of the written order.

NEW SECTION. If the state fire marshal has reasonable grounds for believing that a leak constitutes a hazardous condition which threatens the public health and safety, he may request the assistance of the department of environmental quality, and upon such request the department of environmental quality is empowered to eliminate the hazardous condition as provided in House File four hundred ninety (490) as enacted by the Sixty-seventh General Assembly, 1977 Session, the provisions of section ten (10), paragraph three (3), of that Act to the contrary notwithstanding.

Sec. 2. Section three hundred twenty-seven A point eight (327A.8), Code 1977, is amended by striking the section and inserting in lieu thereof the following:

327A.8 MARKINGS ON VEHICLES. There shall be attached to each tank vehicle used for the intrastate transportation of liquid distinctive markings or tags as shall be prescribed by the board.

There shall be attached to each tank vehicle used for the

intrastate transportation of any flammable liquid distinctive markings or tags on each side and rear in letters a minimum of four inches high and a minimum width of five-eighths of an inch.

Intrastate tank vehicles transporting flammable liquids pursuant to the provisions of this section shall utilize the following options:

1. A sign or lettering with the word "FLAMMABLE".
2. The common name of the flammable liquid being transported.
3. The name or trademark of the carrier when the name or trademark plainly indicates the flammable nature of the cargo.

Vehicles in conformity with the federal department of transportation rules pertaining to the transportation of flammable liquids shall be deemed to be in compliance with the provisions of this section.

Sec. 3. This Act is effective January 1, 1978.

DALE M. COCHRAN
Speaker of the House

ARTHUR A. NEU
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 158, Sixty-seventh General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved 7/7, 1977

ROBERT U. RAY
Governor