

CHAPTER 1004
ANHYDROUS AMMONIA
S.F. 2082

AN ACT regulating anhydrous ammonia by prohibiting tampering with related equipment and the unauthorized possession and transportation of containers and receptacles used to store anhydrous ammonia, providing enhanced penalties, and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 200.14, subsection 1, unnumbered paragraph 3, Code 1997, is amended to read as follows:

1A. All anhydrous Anhydrous ammonia equipment shall be installed and maintained in a safe operating condition and in conformity with the rules and regulations of adopted by the secretary of agriculture. A person shall not intentionally tamper with anhydrous equipment. Tampering occurs when a person who is not authorized by the owner of anhydrous ammonia equipment uses the equipment in violation of a provision of this chapter, including a rule adopted by the secretary. No A person, firm or corporation, other than the owner and those authorized by the owner to do so, shall not in any manner or for any purpose sell, fill, refill, deliver, or permit to be delivered, or use in any manner any an anhydrous ammonia container or receptacle, including for the storage of any gas, or compound for any other purpose whatsoever, unless the person owns the container or receptacle or is authorized to do so by the owner. A person shall not possess or transport anhydrous ammonia in a container or receptacle which is not authorized by the secretary to hold anhydrous ammonia.

Sec. 2. Section 200.18, subsection 2, Code 1997, is amended to read as follows:

2. Any A person violating any provision of this chapter or the rules and regulations issued thereunder adopted by the secretary pursuant to this chapter shall be guilty of a simple misdemeanor. In addition to the imposition of the simple misdemeanor penalty, a person violating section 200.14 shall be subject to a civil penalty of not more than one thousand five hundred dollars, if the person does any of the following:

- a. Intentionally tampers with anhydrous ammonia equipment.
- b. Possesses or transports anhydrous ammonia in a container or receptacle which is not authorized to hold anhydrous ammonia according to rules adopted by the secretary.

A person tampering with anhydrous ammonia equipment in violation of section 200.14 shall not have a cause of action against the owner of the equipment, any person responsible for the installation and maintenance of the equipment, or the person lawfully selling the anhydrous ammonia for damages arising out of the tampering.

Sec. 3. **EFFECTIVE DATE.** This Act, being deemed of immediate importance, takes effect upon enactment.

Approved February 19, 1998