

NEBRASKA ADMINISTRATIVE CODE

TITLE 148 - STATE FIRE MARSHAL -CHAPTER 1 -3 “PROHIBITION ON THE USE OF LIQUEFIED PETROLEUM GAS (LPG) AS A REFRIGERANT IN MOBILE AIR-CONDITIONING SYSTEMS”

SCOPE: The distribution, sale, or use of refrigerants containing liquefied petroleum gas for the use in mobile air-conditioning systems is prohibited.

Chapter 1 -DEFINITIONS:

001. Liquefied petroleum gas, also known as LPG means material composed predominantly of any of the following hydrocarbons or mixtures of such hydrocarbons: Propane, propylene, butane (normal butane or isobutane), and butylenes.

002. Refrigerant means any class I or class II substance used in a motor vehicle air-conditioning system. The term “refrigerant” shall also include any substitute substance.

003. Mobile air-conditioning system means any mechanical vapor compression equipment which is used to cool the driver or passengers’ compartment of any motor vehicle.

004. Motor Vehicle shall mean every self-propelled land vehicle, not operated on rails, except for mopeds, self-propelled chairs used by persons who are disabled, and electric personal assistive mobility devices.

005. Distributor shall mean any individual, partnership, wholesaler, corporation, or other legal relationship which stands between the manufacturer and the retail seller in purchases, consignments or contracts for sale of consumer goods.

006. Retailer shall mean any individual, partnership, or corporation engaged in making sales to the ultimate consumer.

007. Sale shall mean any transfer of title or possession or segregation in contemplation of transfer of title or possession, barter, lease in any manner or by any means, of property for consideration.

008. Use shall mean the exercise of any right or power over property incident to the ownership or possession of that property and the installation of the substance.

Chapter 2 -ENFORCEMENT:

001. It shall be unlawful to distribute, sale, or use refrigerants containing liquefied petroleum gas for use in mobile air-conditioning systems. Any person(s) found in violation of this statute is guilty of a Class IV misdemeanor.

002. All containers used in the filling and service of air-conditioning systems shall be labeled and identified with the approved contents.

003. The State Fire Marshal together with political subdivisions and peace officers of the state are charged with the enforcement of this section.

004. Enforcement shall be done through an annual inspection of facilities and service centers that install or service refrigerants in mobile air-conditioning systems. The fee for this inspection shall be ninety-five dollars (\$95.00).

Chapter 3 - SEVERABILITY:

001. If any clause, paragraph, subsection or section of these regulations shall be held invalid, it shall be conclusively presumed that the State Fire Marshal would have enacted the remainder of these regulations not directly related to such clause, paragraph, subsection or section.

Legal Citation: Title 148, Nebraska State Fire Marshal Statutory Authority: Neb. Rev. Stat. § 28- 1253 (1999 Supp.)