

REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT:

The Committee on **Federal and State Affairs** recommends **SB 147** be amended on page 1, in line 13, by striking all after the period; by striking all in line 14; in line 36, by striking "carry liability insurance in an";

On page 2, by striking all in lines 1 and 2; in line 3 by striking "such coverage" and inserting "have anhydrous tanks inspected annually by inspectors approved by the secretary as qualified to perform such inspections"; in line 9, by striking "in the form of a certificate of liability"; by striking all in lines 10 through 30; in line 31, by striking "period"; following line 31, by inserting:

"(g) The secretary shall develop rules and regulations that recognize governmental and other business self-insurance programs and utility companies, railroads and transportation companies that comply with and are inspected under federal regulations of anhydrous ammonia.";

And by redesignating subsections accordingly;

On page 3, following line 5, by inserting:

"(i) the provisions of this section shall not apply to motor carriers transporting anhydrous ammonia in a cargo tank subject to the requirements of 49 C.F.R. § 173.315 as in effect on February 1, 2013, with capacities in excess of 3,500 water gallons.

"Motor carrier" means any person that holds a certificate of public service or a private carrier permit from the state corporation commission, or is required to register motor carrier equipment pursuant to 49 U.S.C. § 14504a and has a current hazardous materials safety permit

issued by the federal motor carrier safety administration of the United States department of transportation as required by 49 C.F.R. § 395 subpart E as in effect on February 1, 2013.

(j) No motor carrier shall cause any tank to be filled with anhydrous ammonia from such cargo tank within this state unless such tank displays a current permit to fill from the secretary.";

And by redesignating subsections accordingly;

On page 4, in line 30, by striking "the administrative"; by striking all in line 31; in line 32, by striking "private property and to inspect facilities and equipment."; in line 38, after the stricken material by inserting "the secretary, or an authorized representative of the secretary, may enter any premises or vehicle in or on which any anhydrous ammonia may be located or used for the purposes of trade, for the purpose of inspecting, testing and sealing or rejecting the same. Whoever hinders, obstructs or in any way interferes with the secretary or an authorized representative of the secretary, while in the performance of the inspection, shall be deemed guilty of a class C, nonperson misdemeanor."; and the bill be passed as amended.

_____Chairperson