

Introduced: 6/6/78
Referred: Finance

1 IN THE SENATE

BY THE LABOR AND MANAGEMENT
COMMITTEE

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 636

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to civil liability of fuel distribu-
7 tors."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 09.65 is amended by adding a new section to read:

10 Sec. 09.65.140. CIVIL LIABILITY OF FUEL DISTRIBUTORS. (a) A fuel
11 distributor is not liable in a civil action for an act or omission
12 arising out of the reuse of a portable fuel container for the storage of
13 fuel products.

14 (b) As used in this section,

15 (1) "fuel container" means a can, drum or similar item
16 capable of holding or containing aviation, automotive, heating or simi-
17 lar petroleum fuels; the term excludes fixed storage tanks;

18 (2) "fuel distributor" means a person regularly engaged in
19 the business of selling or distributing fuel.

20 (c) The provisions of this section do not prohibit recovery of
21 civil damages from a person who has intentionally caused an injury or
22 wrongful death or a person whose gross negligence has caused or contri-
23 buted to the injury or wrongful death.