

Introduced: 6/6/78
Referred: Finance

1 IN THE SENATE

BY THE LABOR AND MANAGEMENT
COMMITTEE

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 636 am

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
13 and transportation of fuel products if reuse of a fuel container is
14 requested by a person who is not the distributor.

15 (b) As used in this section,

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

19 (A) fixed storage tanks; and

20 (B) tanks, whether fixed or portable, owned by the
21 distributor;

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

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

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