

## **CHAPTER 39-16.2**

### **GAS TRANSPORTER FINANCIAL RESPONSIBILITY**

**39-16.2-01. Definitions.** As used in this chapter:

1. "Dealer" means any person in the business of handling liquefied petroleum gas who delivers or sells any liquefied petroleum gas to any retail dealer or user of liquefied petroleum gas.
2. "Liquefied petroleum gas" includes any material that is composed predominantly of any of the following hydrocarbons or mixtures of the following hydrocarbons: propane, propylene, butanes (normal butane and isobutane), and butylenes.

**39-16.2-02. Liquefied petroleum gas transporters - Financial responsibility requirements.** A dealer who owns or operates a vehicle used for the transportation of liquefied petroleum gas shall maintain motor vehicle liability insurance of:

1. At least five million dollars for the transportation of liquefied petroleum gas transported in cargo tanks, portable tanks, or hopper-type vehicles with capacities of three thousand five hundred water gallons [13248.94 liters] or more.
2. At least one million dollars for the transportation of liquefied petroleum gas transported in cargo tanks, portable tanks, or hopper-type vehicles with capacities of less than three thousand five hundred water gallons [13248.94 liters].

**39-16.2-03. Maintenance and certification of financial requirements - Verification.** A dealer subject to the financial responsibility requirements of this chapter shall maintain the liability insurance prescribed in section 39-16.2-02 which obligates the dealer to pay compensation for injuries to persons and for loss or damage to property by reason of the ownership, maintenance, or use of the covered vehicle. The director may require dealers subject to the financial responsibility requirements of this chapter to certify the existence of financial responsibility in the form and at the times required by the director. The director may forward the certification to the named insurer to determine if the certification is correct. No civil liability may accrue to the insurer or any of its employees for reports made to the director if the reports are made in good faith based upon the most recent information to the insurer.

**39-16.2-04. Self-insurance.** The director may allow a dealer to fully or partially self-insure motor vehicles as required by this chapter if the dealer provides financial data the director requires and the director determines that the financial data demonstrates that the dealer is sufficiently stable and solvent to fully or partially self-insure. The director shall authorize self-insurance subject to reasonable provisions for the filing of periodic financial statements demonstrating no substantial deterioration of financial stability.

**39-16.2-05. Penalties.** A dealer subject to the financial responsibility requirements of this chapter who operates or causes to be operated a motor vehicle in this state without meeting the financial responsibility requirements of this chapter is guilty of a class B misdemeanor. A dealer subject to the financial responsibility requirements of this chapter who operates or causes to be operated a motor vehicle in this state without meeting the financial responsibility requirements of this chapter if the vehicle is involved in an accident is guilty of a class A misdemeanor. The department may refuse to issue the registration for a vehicle or may cancel the registration of a vehicle owned or operated by a person who does not comply with the requirements of this chapter.