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An act relating to the sale of engine coolants and antifreeze

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 9 V.S.A. chapter 76, subchapter 1 is added to read:

Subchapter 1. Hydraulic Brake Fluids

Sec. 2. 9 V.S.A. chapter 76, subchapter 2 is added to read:

Subchapter 2. Sale of Engine Coolants and Antifreeze

§ 2841. AVERSIVE AGENT REQUIRED

As of January 1, 2011, a person shall not sell or offer to sell in this state any engine coolant or antifreeze that contains more than 10 percent ethylene glycol unless the engine coolant or antifreeze includes denatonium benzoate at a minimum of 30 parts per million and a maximum of 50 parts per million as an aversive agent within the product so as to render it unpalatable, except that this subchapter shall not apply to product inventory purchased by retailers prior to January 1, 2011.

§ 2842. RECORDS OF MANUFACTURER AND PACKAGER

Any manufacturer or packager of engine coolant or antifreeze subject to this subchapter shall maintain a record of the trade name, the scientific name, and the active ingredients of the aversive agent used pursuant to this subchapter. Information and documentation maintained pursuant to this subchapter must be furnished to any member of the public upon request.

§ 2843. LIMITATION OF LIABILITY

A manufacturer, distributor, recycler, or seller of any engine coolant or antifreeze that contains denatonium benzoate as required under this subchapter is not liable to any person for any personal injury, death, property damage, damage to the environment or natural resources, or economic loss that results from the inclusion of denatonium benzoate if included in concentrations mandated by this subchapter. This section provides immunity to a person for liability to the extent that the cause of liability is related to the inclusion of denatonium benzoate in any engine coolant or antifreeze as required by this subchapter.

§ 2844. EXCEPTIONS

This subchapter does not apply to the sale of a motor vehicle that contains engine coolant or antifreeze.

Sec. 3. EFFECTIVE DATE

This act shall take effect upon passage.