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H.609

Introduced by Representatives Kitzmiller of Montpelier, Dickinson of  
St. Albans Town, Botzow of Pownal, Bouchard of Colchester,  
Carr of Brandon, Kupersmith of South Burlington, and  
Marcotte of Coventry

Referred to Committee on

Date:

Subject: Commerce and trade; propane

Statement of purpose of bill as introduced: This bill proposes to clarify  
Vermont law governing termination of propane service.

An act relating to terminating propane service

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

Sec. 1. 9 V.S.A. § 2461b is amended to read:

§ 2461b. REGULATION OF PROPANE

(a)(1) In this section:

(A) “Consumer” means any person who purchases propane for  
consumption and not for resale through a meter or has propane delivered to one  
or more storage tanks of 2,000 gallons or less.

(B) “Seller” means a person who sells or offers to sell propane to a  
consumer.



1           (B) If a consumer has received propane service from the seller for  
2 less than 12 months, any fee related to termination of service may not exceed  
3 the disclosed price of labor and materials.

4           (2) Subject to subdivision (h)(5) of this section:

5           (A) Within 20 days of the date when the seller ~~disconnects propane~~  
6 terminates service or is notified ~~by the consumer~~ in writing that service has  
7 been disconnected, whichever is earlier, the seller shall refund to the consumer  
8 the amount paid by the consumer for any propane remaining in the storage  
9 tank, less any payments due the seller from the consumer.

10           (B) If the quantity of propane remaining in the storage tank cannot be  
11 determined with certainty, the seller shall, within the 20 days described in  
12 subdivision (2)(A) of this subsection, refund to the consumer the amount paid  
13 by the consumer for 80 percent of the seller's best reasonable estimate of the  
14 quantity of propane remaining in the tank, less any payments due from the  
15 consumer. The seller shall refund the remainder of the amount due as soon as  
16 the quantity of propane left in the tank can be determined with certainty, but no  
17 later than 14 days after the removal of the tank or restocking of the tank at the  
18 time of reconnection.

19   \* \* \*

1           (h)(1) A seller who has a duty to remove a propane storage tank from a  
2           consumer's premises shall remove the tank within 20 days or, in the case of an  
3           underground storage tank, within 30 days of the earliest of the following dates:  
4                         (A) the date on which the consumer requests termination of service;  
5                         (B) the date the seller disconnects propane service; or  
6                         (C) the date on which the seller is notified ~~by the consumer~~ in writing  
7           that service has been disconnected.

8   \* \* \*

9           Sec. 2. EFFECTIVE DATE

10           This act shall take effect on passage.