

and its coordination with national defense; providing for the establishment of a State Council of Civil Defense, local and district councils of civil defense, Mobile Support Units; prescribing the powers, duties and immunities thereof and of their personnel; authorizing mutual aid compacts, and providing penalties," are hereby repealed.

Section 11, said act, amended.

Section 2. Section 11 of said act is hereby amended to read as follows:

Section 11. Immunity.—Neither the State nor any political subdivision thereof nor other agencies nor, except in cases of wilful misconduct, the agents, employees or representatives of any of them engaged in any civil defense activities, while complying with or attempting to comply with this act or any rule or regulation promulgated pursuant to the provisions of this act, shall be liable for the death of or any injury to persons or damage to property as a result of such activity. The provisions of this section shall not affect the right of any person to receive benefits to which he would otherwise be entitled under this act or under the Workmen's Compensation Law or under any pension law, nor the right of any such person to receive any benefits or compensation under any act of Congress.

Any person owning or controlling real estate or other premises, who voluntarily and without compensation grants a license or privilege or otherwise permits the designation or use of the whole or any part or parts of such real estate or premises for any civil defense purpose, shall, together with his successors in interest, if any, not be civilly liable for negligently causing the death or injury or loss or damage of the property of any person who shall be upon such real estate or other premises for any such purpose.

APPROVED—The 29th day of July, A. D. 1953.

JOHN S. FINE

No. 267

AN ACT

To amend the act, approved the twenty-seventh day of December, one thousand nine hundred fifty-one (Pamphlet Laws 1793), entitled "An act providing for the marking of liquefied petroleum gas containers and prohibiting the refilling or use of such containers without authorization by the owner thereof; authorizing the Department of Labor and Industry, after public hearing, to prescribe uniform regulations for safety in the design, construction, location, installation and operation of equipment for storing, handling, transporting by tank truck or tank trailer and utilizing liquefied petroleum gases for fuel purposes and for the odorization of said gases used therewith; prohibiting

the adoption by municipalities or other political subdivisions of ordinances or regulations in conflict with this act; providing for prosecutions for violations of this act by summary proceedings, and prescribing the penalty therefor," by providing for registration of dealers, bulk plants, industrial and utility users; prescribing registration fees; and imposing penalties.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 3 of the act, approved the twenty-seventh day of December, one thousand nine hundred fifty-one (Pamphlet Laws 1793), entitled "An act providing for the marking of liquefied petroleum gas containers and prohibiting the refilling or use of such containers without authorization by the owner thereof; authorizing the Department of Labor and Industry, after public hearing, to prescribe uniform regulations for safety in the design, construction, location, installation and operation of equipment for storing, handling, transporting by tank truck or tank trailer and utilizing liquefied petroleum gases for fuel purposes and for the odorization of said gases used therewith; prohibiting the adoption by municipalities or other political subdivisions of ordinances or regulations in conflict with this act; providing for prosecutions for violations of this act by summary proceedings, and prescribing the penalty therefor," is hereby amended to read as follows:

Section 3. The Department of Labor and Industry shall make, promulgate and enforce regulations, setting forth minimum general standards covering the design, installation and construction of containers and pertinent equipment for the storage and handling of liquefied petroleum gases, and specifying the odorization of said gases. Said regulations shall be such as are reasonably necessary for the protection of the health, welfare and safety of the public and persons using such materials, and shall be in substantial conformity with the generally accepted standards of safety concerning the same subject matter. Such regulations shall be adopted by the Department of Labor and Industry only after a public hearing thereon. [It is hereby declared that regulations in substantial conformity with the published standards of the National Fire Protection Association for the design, installation and construction of containers and pertinent equipment for the storage and handling of liquefied petroleum gases shall be deemed to be in substantial conformity with the generally accepted standards of safety concerning the same subject matter.]

Section 2. Said act is hereby amended by adding, at the end of section 3 thereof, four new sections to read as follows:

Section 3.1. All industrial and utility users of liquefied petroleum gas with storage facilities in excess of

Liquid fuels.

Section 3, act of December 27, 1951, P. L. 1793, amended.

Department of Labor and Industry to make, promulgate and enforce regulations for storage and handling of liquefied petroleum gases.

Said act amended by adding, at end of section 3 thereof, four new sections numbered 3.1, 3.2, 3.3 and 3.4.

two thousand (2000) gallons and all bulk plants and dealers in liquefied petroleum gas shall register with the department.

Section 3.2. No registration certificate shall be issued until an annual registration fee shall have been paid to the department.

(a) In the case of bulk plants having the following storage facilities, the fees shall be as follows:

- (1) 30,000 gallons or less \$ 50.00*
- (2) 30,001 to 90,000 gallons 75.00*
- (3) 90,001 gallons or more 100.00*

(b) In the case of industrial and utility users having the following storage facilities, the fees shall be as follows:

- (1) 2001 to 30,000 gallons \$ 25.00*
- (2) 30,001 to 180,000 gallons 50.00*
- (3) 180,001 or more gallons 100.00*

(c) In the case of dealers, the fees shall be as follows:

- (1) Dealers having less than 1000 customers \$ 62.50*
- (2) Dealers having 1000 or more customers 125.00*

Section 3.3. All fees provided for in this act shall be paid into the State Treasury through the Department of Revenue.

Section 3.4. The use of existing liquefied petroleum gas installations found to be in a condition which, in the judgment of the department, is dangerous to life and property, shall be discontinued until necessary and reasonable changes recommended by the department are made.

Section 3. Any person violating any of the provisions of this act shall be subject to the penalties imposed under section 7 of the act to which this is an amendment.

APPROVED—The 29th day of July, A. D. 1953.

JOHN S. FINE

No. 268

AN ACT

Providing for the exercise of the right of eminent domain by certain corporations with certain restrictions, exceptions and limitations, and preserving the jurisdiction of the Pennsylvania Public Utility Commission.

Eminent domain. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows: