



General Assembly

February Session, 2004

Raised Bill No. 289

LCO No. 1038

01038 _____ GL_

Referred to Committee on General Law

Introduced by:
(GL)

AN ACT CONCERNING HOME HEATING OIL DEALERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 16a-23m of the general statutes, as amended by
2 section 146 of public act 03-6 of the June 30 special session, is repealed
3 and the following is substituted in lieu thereof (*Effective October 1,*
4 *2004*):

5 (a) On or after October 1, 2001, no person, firm or corporation shall
6 engage in the retail sale of home heating oil without a certificate of
7 registration as a home heating oil dealer issued pursuant to this
8 section.

9 (b) Each person, firm or corporation seeking registration as a home
10 heating oil dealer shall apply annually for a certificate of registration
11 with the Department of Agriculture and Consumer Protection on
12 forms prescribed by the Commissioner of Agriculture and Consumer
13 Protection. Each applicant shall pay a registration fee of one hundred
14 dollars. The commissioner shall require all applicants for registration
15 as a home heating oil dealer to provide evidence of general liability
16 insurance coverage and insurance to cover any potential

17 environmental damage due to fuel oil spills caused by such applicant
18 as a registered dealer which coverage shall be not less than one million
19 dollars. Each registered dealer shall provide the department with
20 evidence of each renewal of or change to such insurance coverage not
21 later than five days after such renewal or change during the period of
22 registration, which renewal or change shall meet the requirements of
23 this subsection.

24 (c) Each registered dealer shall display its registration number, the
25 name of its insurer and its insurance policy number in all
26 advertisements and other materials prepared or issued by the dealer,
27 which contain information on such dealer.

28 (d) The Insurance Department or the insurance company of a home
29 heating oil dealer shall notify the Commissioner of Agriculture and
30 Consumer Protection, in writing, upon cancellation of insurance by
31 any home heating oil dealer. The Commissioner of Agriculture and
32 Consumer Protection shall revoke the registration of any such dealer
33 without the insurance coverage required by subsection (b) of this
34 section.

35 Sec. 2. Section 16a-23n of the general statutes is repealed and the
36 following is substituted in lieu thereof (*Effective October 1, 2004*):

37 (a) A contract for the retail sale of home heating oil that offers a
38 guaranteed price plan, including fixed price contracts and any other
39 similar terms, shall be in writing and the terms and conditions of such
40 price plans shall be disclosed. Such disclosure shall be in plain
41 language and shall immediately follow the language concerning the
42 price or service that could be affected and shall be printed in no less
43 than twelve-point boldface type of uniform font.

44 (b) A home heating oil dealer that advertises a guaranteed price
45 plan shall offer said price for a period of no less than twenty-four
46 hours or until the next advertised price is publicized, whichever occurs
47 first.

48 Sec. 3. (NEW) (*Effective October 1, 2004*) The Department of
49 Agriculture and Consumer Protection shall establish a list of all
50 registered home heating oil dealers. The department shall make the list
51 available to all wholesalers of home heating oil doing business in the
52 state and such wholesalers shall only sell to the registered home
53 heating oil dealers on said list.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>
Sec. 2	<i>October 1, 2004</i>
Sec. 3	<i>October 1, 2004</i>

Statement of Purpose:

To revise the home heating oil dealer registration program.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]