



General Assembly

Substitute Bill No. 289

February Session, 2004

* SB00289INS 040604 *

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2 section 146 of public act 03-6 of the June 30 special session, is repealed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 in all
25 advertisements and other materials prepared or issued by the dealer,
26 which contain information on such dealer.

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

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 Section 16a-23n of the general statutes is repealed and the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

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

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

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

GL *Joint Favorable Subst.*

INS *Joint Favorable*