

## 530-X-2-.12 CLASS A PERMIT APPLICANTS - SPECIFIC REQUIREMENTS

- (1) New Class A permit applicants not holding another Class A permit in Alabama shall not begin any business activities until their permit is initially approved by the board and advised in writing by the Administrator. Business activities include, but are not limited to, advertising, construction, sales, or deliveries.
- (2) New applicant(s) shall appear before the board at such time as their application is considered. Persons other than the person(s) whose signature appears on the application may be required to appear before the board in consideration of the application. All persons required to appear shall be expected to explain and support their application and experience in any manner which members of the board deem relevant to carry out their responsibility to protect the health and safety of the public. Application, attachments, and board hearings shall attempt to resolve the question of the applicant's qualifications to enter the retail LP-gas business. Factors to be considered and prerequisite requirements are as follows:
  - (a) Applicant's experience and knowledge of the LP-gas industry. The owner applicant, or designated employee representative, must have previous retail experience under a Class A permit holder or comparable out-of-state business for a period of at least five years to be verified by the administrator of the board.
  - (b) Applicant's knowledge, technical ability, and adherence to safety standards adopted by the board. Prior to board consideration, the owner applicant, or a designated employee representative, must demonstrate safety knowledge and experience by obtaining through board examination the following employee competency endorsement credentials regardless of whether these specific tasks will initially be performed under the permit:
    - (1) Bobtail Driver
    - (2) Bulk Plant Installation/Repairs
    - (3) Cylinder & Motor Fuel Dispensing
    - (4) Legal Compliance
    - (5) Service Technician (Residential & Commercial)
    - (6) Tank Install/Removal/Inspect
  - (c) Applicant's proposed facilities and equipment.
  - (d) Other factors the board may deem important and relevant in qualifying persons as LP-gas dealers.
- (3) After initial approval of a Class A permit application by the board, the following items must be completed, inspected, and approved within 180 days and prior to the board administrator issuing a final permit:

- (a) A bulk storage plant for use by the permit holder with a minimum amount of qualifying storage totaling 30,000 gallons water capacity in compliance with *Code of Alabama 9-17-107*. If the container is leased, it must be for the exclusive use of the applicant and their customers and not shared as qualifying storage with another permit holder.
- (b) All cargo tank delivery vehicles to be used in the business, if applicable.
- (c) Any cylinder filling dispensers placed in operation by the permit holder, if applicable.
- (d) Submission to the board administrator of training records and written experience for each employee specific to the job tasks they will perform.
- (e) Applicant's employees must obtain endorsement credentials specific to the job tasks that each will perform unsupervised as detailed in *Alabama Administrative Code 530-X-2-.11 Employee Competency Requirements*.

(4) Any person may testify at board hearings on pending applications. Persons desiring to testify should notify the board administrator in writing at least twenty-four (24) hours prior to the board meeting in which the application is to be heard.

If any part of this regulation is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Author: Leonard Pakruda, Mark Nelson

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