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Document No. 4238

**DEPARTMENT OF LABOR, LICENSING AND REGULATION**

**DIVISION OF LABOR**

CHAPTER 71

Statutory Authority: 1976 Code Section 40-82-70

71-8304.3. Licensing and Permitting Fees.

71-8304.4. Licensing Requirements.

**Synopsis:**

To satisfy the requirements of licensure, Regulations 71-8304.3 and 71-8304.4 are updated in conformance with the current LP Gas Board Practice Act.

The Notice of Drafting was published in the *State Register* on November 25, 2011.

**Instructions:**

The following sections of Chapter 71 are modified as provided below. All other items and sections remain unchanged.

**Text:**

71-8304.3. Licensing and Permitting Fees.

A. The South Carolina Department of Labor, Licensing and Regulation is responsible for all administrative activities of the licensing program. The South Carolina Department of Labor, Licensing and Regulation shall employ and supervise personnel necessary to effectuate the provisions of this article and shall establish fees sufficient but not excessive to cover expenses, including direct and indirect costs to the State for the operation of this licensing program. Fees may be adjusted not more than once each two years, using the method set out in South Carolina Code 40-1-50(D).

B. Fees shall be established for the following:

1. Application

2. Testing

3. Permitting

4. Licensing

5. Inspection

6. Renewal

C. All fees are due at time of application for licenses, testing, permits, inspection, or renewal.

D. All fees paid to the South Carolina Department of Labor, Licensing and Regulation are nonrefundable.

71-8304.4. Licensing Requirements.

A. Licenses

1. Each company shall possess a license issued by the South Carolina Department of Labor, Licensing and Regulation.

2. Licenses shall be displayed in a conspicuous location at the place of business for the LP Gas Dealer, Installer, Gas Plant, Wholesaler, Reseller, or Cylinder Exchange operator.

B. Permits

1. Each site shall have a designated person that has a permit issued by the Office of State Fire Marshal to supervise people handling, dispensing, installing, transporting, repairing, or exchanging LP Gas.

2. Any applicant who fails the written examination is allowed one (1) re-test after a minimum seven (7) day waiting period. Any applicant who fails the re-test shall wait at least thirty (30) days before reapplying.

3. Permits shall bear the name, photograph, and any other identifying information deemed necessary by the South Carolina Department of Labor, Licensing and Regulation.

4. Permit holders shall have their permit in their possession when supervising the handling, dispensing, installing, manufacturing, transporting, repairing, or exchanging LP Gas.

5. Permit holders shall exhibit their permits on request of any AHJ.

6. Each permit is valid for a period of two (2) years and must be renewed before it expires.

7. Permits are not transferable.

**Fiscal Impact Statement:**

There will be no cost incurred by the State or any of its political subdivisions.

**Statement of Rationale:**

These regulations are updated in conformance with the current LP Gas Practice Act.