



**House
Legislative
Analysis
Section**

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FUEL OIL FLASH POINT

House Bills 5951 and 5952
Sponsor: Rep. Bart Stupak
Committee: Public Utilities

Complete to 11-7-90

A SUMMARY OF HOUSE BILLS 5951 AND 5952 AS INTRODUCED 9-11-90

The Michigan Penal Code prohibits the sale (or attempted sale) of kerosene with a flash point of less than 121 degrees Fahrenheit for use in "atmospheric pressure wick-feed illuminating apparatus", in similar heating stoves, and in gravity-feed cook stoves. House Bill 5951 would reduce the permissible flash point to 100 degrees Fahrenheit. A violation would remain a misdemeanor, and the penalties would remain the same: not more than \$300 in fines or six months imprisonment, or both.

House Bill 5952 would make a similar amendment to Public Act 319 of 1929, which cities and villages can adopt for the regulation of the use of fuel oil for oil burners used for heating. The bill would require fuel oil or any other oil or liquid used for equipment installed under the act to have a flash point of at least 100 degrees Fahrenheit as determined in a closed cup tester (rather than the current flash point of 130 degrees or 125 degrees, depending on the nature of the test). The bill would also adopt new definitions of "fuel oil" and "auxiliary tank."

MCL 750.502b (House Bill 5951)
MCL 125.551 et al. (House Bill 5952)

House Bills 5951 and 5952 (11-7-90)