

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

***** 600.2977.added THIS ADDED SECTION IS EFFECTIVE JULY 1, 2013 *****

600.2977.added Liquefied petroleum gas business; protection from liability; exception; definitions.

Sec. 2977. (1) A liquefied petroleum gas business is not liable for damages for personal injury, death, or property damage arising from the sale, supplying, handling, transportation, or delivery of liquefied petroleum gas if both of the following apply:

(a) The sale, supplying, handling, transportation, or delivery of the liquefied petroleum gas was either of the following:

(i) In compliance with all of the following:

(A) Rules promulgated under section 3c of the fire prevention code, 1941 PA 207, MCL 29.3c.

(B) Section 2 of 1959 PA 241, MCL 429.112.

(C) Rules promulgated under the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531.

(ii) Not in compliance with the statute and rules identified in subparagraph (i), but the failure to comply was not a proximate cause of the personal injury, death, or property damage.

(b) The personal injury, death, or property damage was caused by either of the following:

(i) The alteration, modification, or repair of liquefied petroleum gas equipment or a liquefied petroleum gas appliance, unless the alteration, modification, or repair was with the knowledge or consent of the liquefied petroleum gas business.

(ii) The use of liquefied petroleum gas equipment or a liquefied petroleum gas appliance in a manner or for a purpose other than the manner in which or purpose for which the equipment or appliance was intended to be used, unless the use could reasonably have been expected by the liquefied petroleum gas business.

(2) The protection from liability provided by subsection (1) does not apply to a manufacturer of liquefied petroleum gas equipment.

(3) As used in this section:

(a) "Liquefied petroleum gas business" means a person who is engaged primarily in the business of selling at retail, supplying, handling, or transporting liquefied petroleum gas.

(b) "Person" means an individual, partnership, corporation, association, governmental entity, or other legal entity.

History: Add. 2013, Act 19, Eff. July 1, 2013.