
**Criminal Justice & Corrections
Committee**

HB 1073

Brief Description: Revising provisions relating to storage of ammonia.

Sponsors: Representatives Lovick and Pearson.

Brief Summary of Bill

- Requires that all containers that transport ammonia be clearly marked stating the contents of the container and the United Nations identification number.
- Prohibits containers that are used for the transport of ammonia to have fittings that contain brass, copper, or galvanized steel or that allow ammonia gas to escape from the container when the valve or fittings are in the closed or shut off positions.

Hearing Date: 1/25/05

Staff: Yvonne Walker (786-7841).

Background:

Pressurized ammonia gas or pressurized ammonia gas solution is widely used as a nitrogen fertilizer and refrigerant. It is often referred to as anhydrous ammonia. It is stored under high pressure and if improperly stored or mishandled can cause severe injuries. Anhydrous ammonia is ammonia that does not contain any water. Pressurized (or anhydrous) ammonia readily absorbs water and improper storage can result in it no longer being "anhydrous." Anhydrous ammonia is also being used in the manufacture of methamphetamine and is often improperly stored during this process.

The chapter governing ammonia makes it a seriousness level VI, class C felony offense to unlawfully store pressurized ammonia gas or pressurized ammonia gas solution. The crime of unlawful storage of pressurized ammonia is committed by possessing, transporting, or delivering pressurized ammonia in a container that is not approved to hold pressurized ammonia or not constructed to meet state and federal standards for holding pressurized ammonia. This crime does not apply to public employees or private contractors authorized to clean up and dispose of hazardous waste or toxic substances.

Under Title 49, Volume 2 (49CFR172.101) of the Federal Transportation Regulations, all hazardous materials are given a United Nations identification number for the purpose of readily

identifying the hazardous materials during transportation or in the case of an accident. In addition, containers that are being transported internationally must be legibly marked with the words "poisonous gas" and materials that are transported domestically must be marked with the words "flammable gas."

Summary of Bill:

The crime of unlawful storage of ammonia is amended to provide that the crime is committed when a person possesses, transports, or delivers any ammonia gas or gas solution in a container that is not conspicuously and legibly marked with:

- the words "ammonia solution" or "ammonia, anhydrous;"
- the words "poisonous gas" or "flammable gas;" or
- the proper United Nations identification number.

In addition, the storage containers cannot have fittings that contain brass, copper, or galvanized steel or that allow ammonia gas to escape from the container when the valve or fittings are in the closed or shut off positions.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.