

Alabama Propane Consumer "Duty to Notify" RECORD OF NOTIFICATION

Alabama Law, § 9-17-109.

(e) LP-gas dealers holding Class A or Class B-1 permits have special knowledge and expertise in performing installations, maintenance, repairs, adjustments, and services to liquefied petroleum gas appliances such as ranges, water heaters, heaters, containers, and LP-gas systems. To ensure the safety of Alabama's consumers of LP-gas services, any consumer who desires to install, repair, maintain, adjust, or service any liquefied petroleum gas appliance, including, but not limited to, ranges, water heaters, containers, heaters, and LP-gas systems, shall notify the LP-gas dealer who regularly supplies such consumer with LP-gas of his or her intention to employ someone other than the LP-gas dealer to perform such installation, repair, maintenance, adjustment, or service prior to the installation, maintenance, repair, adjustment, or service being performed. The consumer shall thereby afford the LP-gas dealer with an opportunity to first install, repair, maintain, adjust, or service the LP-appliance before resorting to someone other than his or her LP-gas dealer who regularly supplies LP-gas.

(1) In the event the consumer suffers injury, damage, or loss as a proximate consequence of a negligent installation, repair, maintenance, adjustment, or service of any LP-gas appliance, or on any component thereof, and such consumer has not first notified and afforded the opportunity to install, repair, maintain, adjust, or service to the LP-gas dealer who regularly supplies his or her system with LP-gas, no legal action shall be commenced against such LP-gas dealer.

(2) In the event the consumer suffers injury, damage, or loss as a proximate consequence of the consumer using his or her equipment or appliance in a manner or for a purpose other than that for which the equipment or appliance was intended, no legal action shall be commenced against his or her LP-gas dealer.

(3) **All LP-gas dealers are required to document and maintain in writing all notices received from consumers for a period of not less than five (5) years.** Any LP-gas dealer who is found not to have maintained such notices in writing as required by this statute shall be guilty of a Class B misdemeanor pursuant to § 13A-5-3(c)(2), Code of Alabama, 1975, and shall be punished according to § 13A-5-7(a)(2), Code of Alabama, 1975 and fined according to § 13A-5-12(a)(2), Code of Alabama, 1975.

(f) No LP-gas dealer shall be subject to any award of punitive or exemplary damages, except in those cases falling within § 6-5-391, Code of Alabama, 1975, and § 6-5-410, Code of Alabama, 1975, except upon a showing by clear and convincing evidence of gross negligence or willful or wanton misconduct.

LP Gas Dealer: _____ Location: _____
City State

Notification made by way of (check one): Telephone Call Personal Contact Letter Email

Date of Notification: _____ Reported to: _____

Consumer's Name: _____ Consumer's Acct. #: _____

Consumer's Address: _____
Address City State Zip Code

Consumer's Phone Number: _____

Caller's Name (if different from above listed Consumer's Name): _____

Type of Installation/Maintenance to be performed: _____

Consumer to be responsible for Installation/Maintenance

Date on which Installation/Maintenance is to be performed: _____ Unknown

Comments: _____

Name of Employee Completing Form: _____

Consumer Given "Duty to Notify" Brochure _____

Consumer Signature

"Duty to Notify" Brochure Mailed to Customer _____

Date Mailed