

Title 19: Department of Insurance

Part 7: State Fire Marshal

Part 7, Chapter 11: Notification Requirements Involving Ownership and Employee Changes

Rule 11.01: Purpose

The purpose of this Regulation is to set forth notification requirements that Liquefied Compressed Gas Dealers must follow when abandoning or assuming ownership of a Liquefied Compressed Gas Dispensing System and/or when certified employee turnover occurs.

Source: *Miss. Code Ann.* § 75-57-105 (Rev. 2016).

Rule 11.02: Authority

This Regulation is promulgated by the Liquefied Compressed Gas Board with the approval of the Commissioner of Insurance, pursuant to *Miss. Code Ann.* § 75-57-105 (Rev. 2016), and in accordance with the Mississippi Administrative Procedures Law, *Miss. Code Ann.* § 25-43-1.101, *et seq.* (Rev. 2010 and Supp. 2016), and the Mississippi Insurance Department Regulation 19 *Miss. Admin. Code*, Part 1, Chapter 15, said Regulation being the “Rules of Practice and Procedure Before the Mississippi Insurance Department”.

Source: *Miss. Code Ann.* §§ 75-57-105 (Rev. 2016) and 25-43-1.101, *et seq.* (Rev. 2010 and Supp. 2016); 19 *Miss. Admin. Code*, Part 1, Chapter 15.

Rule 11.03: Scope

This Regulation shall apply to all Liquefied Compressed Gas Dealers.

Source: *Miss. Code Ann.* § 75-57-105 (Rev. 2016).

Rule 11.04: Definitions

For purposes of this Regulation, the following terms are defined as follows, unless the context clearly indicates otherwise:

- a) “Certified employee” means a Liquefied Compressed Gas Dealer’s employee that has received applicable training and has become properly certified with the Mississippi Insurance Department’s Liquefied Compressed Gas Division for related Liquefied Compressed Gas activities.
- b) “Certified employee turnover” includes, but is not limited to, when: (1) a certified employee either ends or begins his or her employment with a Dealer, and (2) when a non-

certified employee is hired by a Dealer to perform Liquefied Compressed Gas activities that require certification with the Mississippi Insurance Department's Liquefied Compressed Gas Division prior to engaging in said Liquefied Compressed Gas activities.

- c) "Non-certified employee" means a Liquefied Compressed Gas Dealer's employee that does not meet the definition of a certified employee.

Source: *Miss. Code Ann.* § 75-57-105 (Rev. 2016).

Rule 11.05: Notification Requirements

To ensure the accuracy of the Mississippi Insurance Department's Liquefied Compressed Gas Dispensing System ownership and certified employee records, and to ensure that only properly certified employees engage in related Liquefied Compressed Gas activities, all Liquefied Compressed Gas Dealers are required to promptly notify the Mississippi Insurance Department when abandoning or assuming ownership of a Liquefied Compressed Gas Dispensing System and/or when certified employee turnover occurs. Such notifications should be directed to the Mississippi Insurance Department's Liquefied Compressed Gas Division by calling 601-359-1064 or by emailing lccgas@mid.ms.gov.

Source: *Miss. Code Ann.* § 75-57-105 (Rev. 2016).

Rule 11.06: Date of Compliance

All Liquefied Compressed Gas Dealers shall comply with this Regulation from and after the Effective Date of this Regulation, as set forth in Rule 11.09 below.

Source: *Miss. Code Ann.* § 75-57-105 (Rev. 2016).

Rule 11.07: Violations and Penalties

Failure of a Liquefied Compressed Gas Dealer to comply with the provisions of this Regulation shall be considered a violation of *Miss. Code Ann.* §§ 75-57-107 and 75-57-109 (Rev. 2016), and may result in a monetary penalty and/or revocation of the Dealer's Liquefied Compressed Gas permit.

Source: *Miss. Code Ann.* §§ 75-57-105, 75-57-107, and 75-57-109 (Rev. 2016).

Rule 11.08: Severability

If any section or portion of a section of this Regulation or the application thereof is held by a court to be invalid, such invalidity shall not affect any other provision of that section or application of this Regulation which can be given effect without the invalid provision or application, and to this end the provisions of this Regulation are declared to be severable.

Source: *Miss. Code Ann.* §§ 75-57-105 (Rev. 2016), 45-11-101, *et seq.* (Rev. 2015 and Supp. 2016).

Rule 11.09: Effective Date

This Regulation shall become effective thirty (30) days after filing for final adoption with the Office of the Secretary of State.

Source: *Miss. Code Ann.* §§ 25-43-3.112 and 25-43-3.113 (Rev. 2010)