



# UNDERSTANDING COLORADO’S PROPANE CONTAINER LAW

(REVISED 11/2012)

Statute Reference	Interpretation
<p><b>§ 8-20-301. Unlawful use of container:</b> No person, firm, or corporation, except the owner thereof or persons authorized in writing by the owner, shall sell or offer for sale, or deliver any gas or gaseous compound used for heating or cooking, which is shipped, consigned, or delivered in steel containers, or containers made of other metal, plastic, or other substance, if such container bears upon the surface thereof, in plainly legible characters the name, initials, or trademark of the owner. The term "gas or gaseous compound" as used in this part 3 includes any material which is composed predominantly of any of the following hydrocarbons, or mixtures of the same: Propane, propylene, butanes, normal butane and isobutane, and butylenes.</p>	<p><i>No one except the owner can sell, or deliver LP-Gas, in a cylinder that is plainly marked as owned by the owner.</i></p>
<p><b>§ 8-20-302. Refill container unlawful:</b> No person, firm, or corporation, other than the owner or person authorized by the owner shall refill or use in any manner a container or receptacle which has imprinted thereon the name, initials, or trademark of the owner, for any gas or gaseous compound used for cooking or heating.</p>	<p><i>No one other than the owner or someone given permission by the owner can fill or use a container (bottle, cylinder or tank) which is plainly marked as owned by the owner in the case of LP-Gas used for cooking or heating.</i></p>
<p><b>§ 8-20-303. Reuse of container unlawful:</b> No person, firm, or corporation to whom such gas or gaseous compound has been sold or delivered in such containers shall sell, loan, deliver, or permit to be delivered such containers to any person other than such owner, or persons authorized by such owner to receive the delivery of such containers.</p>	<p><i>A customer can't return an LP-Gas "container" (bottle, cylinder or tank) to anyone else other than the owner. A customer can't sell, or loan a "container" (bottle, cylinder or tank) that they do not own to anyone else.</i></p>
<p><b>§ 8-20-304. Applicability:</b> Sections 8-20-301 to 8-20-303 shall not apply to any gas or gaseous compound referred to in section 8-20-301, contained in such containers, unless the title to the containers is retained by the owner or his representative, and unless the gas or gaseous substance contained in the containers is sold and delivered upon the understanding and agreement that the container in which it was delivered shall be returned to the owner or its representative when the contents have been used up by the purchaser.</p>	<p><i>Sections 301-303 do not apply to LP-Gas containers (bottle, cylinder or tank) unless the title to the container (bottle, cylinder or tank) is retained by the owner, and unless the LP-Gas in the container (bottle, cylinder or tank) is sold and delivered with the understanding that the container will be returned to the owner when the LP-Gas has been used up by the purchaser. The owner must clearly own the container (bottle, cylinder or tank) and have a record of ownership, and explain to the customer that it must be returned to the owner when the LP-Gas has been used up.</i></p>
<p><b>§ 8-20-305. Penalty for violation</b>          Any fuel distributor who fills a fuel tank with liquefied petroleum gas without the approval of the owner of the tank shall be liable in a civil action for treble damages in addition to costs and reasonable attorney fees.</p>	<p><i>Any propane company who fills another propane company's container (bottle, cylinder or tank) knowingly without the permission of the owner of the container (bottle, cylinder or tank) can be taken to court and if they are found guilty they will be liable for three times the damages, court costs and attorney fees.</i></p>