



TO: Development Services Customers

SUBJECT: **INFORMATION BULLETIN 238**
Natural Resources Code, Chapter 113. Liquefied Petroleum Gas

DATE: October 1, 2019

CREATED BY: Field Services Division

Purpose:

As a customer service initiative, the Department created this Information Bulletin (*IB*) to inform our customers of the Railroad Commission of Texas, Natural Resources Code, Chapter 113. (“LP-gas”) Liquefied Petroleum Gas Code or LPG Code.

Scope:

- Sec. 113.002. DEFINITIONS. In this chapter: "Commission" means the Railroad Commission of Texas.
- Sec. 113.011. REGULATION OF LIQUEFIED PETROLEUM GAS ACTIVITIES. The commission shall administer and enforce the laws of this state and the rules and standards of the commission relating to liquefied petroleum gas.
- Sec. 113.051. ADOPTION OF RULES AND STANDARDS. Except as provided in Section [113.003](#) of this code, the commission shall promulgate and adopt rules or standards or both relating to any and all aspects or phases of the LPG industry that will protect or tend to protect the health, welfare, and safety of the general public.
- Sec. 113.054. EFFECT ON OTHER LAW states: “The rules and standards promulgated and adopted by the commission under Section 113.051 preempt and supersede any ordinance, order, or rule adopted by a political subdivision of this state relating to any aspect or phase of the liquefied petroleum gas industry.

Summary:

The Railroad Commission of Texas (“Commission”) regulates the liquefied-petroleum gas (“LP-gas”) industry pursuant to chapter 113 of the Texas Natural Resources Code. Chapter 113 directs the Commission to adopt rules and standards, or both, “relating to any and all aspects or phases of the LPG industry that will protect or tend to protect the health, wealth, and safety of the general public.” Tex. Nat. Res. Code § 113.051.

Chapter 113 and the Commission's LP-gas rules (found in Chapter 9, Title 16 of the Texas Administrative Code) are the controlling rules for any aspect or phase of the LP-gas industry.

Any ordinance, order, or rule adopted by a political subdivision in this state was preempted and superseded upon the Legislature's enactment of section 113.054.

Only the Commission has jurisdiction over the LP-gas industry and its rules and is therefore the only body that can enforce the LP-gas rules.

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