

109TH CONGRESS
2D SESSION

S. 3458

To require the Consumer Product Safety Commission to issue regulations mandating child-resistant closures on all portable gasoline containers.

IN THE SENATE OF THE UNITED STATES

JUNE 7, 2006

Mr. BAYH (for himself and Mrs. BOXER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To require the Consumer Product Safety Commission to issue regulations mandating child-resistant closures on all portable gasoline containers.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Children’s Gasoline
5 Burn Prevention Act”.

6 **SEC. 2. CHILD-RESISTANT PORTABLE GASOLINE CON-**
7 **TAINERS.**

8 (a) CONSUMER PRODUCT SAFETY STANDARD.—

9 Within 180 days after the date of enactment of this Act,

1 the Consumer Product Safety Commission shall promul-
2 gate, as final consumer product safety standards under
3 section 9 of the Consumer Product Safety Act (15 U.S.C.
4 2058), child-resistance standards for closures on all port-
5 able gasoline containers. Such standards shall be substan-
6 tially the same as the standard ASTM F2517–05, issued
7 by ASTM International, or any successor standard issued
8 by ASTM International.

9 (b) APPLICATION OF CERTAIN PROMULGATION RE-
10 QUIREMENTS.—The requirements of subsections (a)
11 through (f) of section 9 of the Consumer Product Safety
12 Act (15 U.S.C. 2058(a) through (f)) shall not apply to
13 the consumer product safety standards required by sub-
14 section (a) of this section.

15 (c) DEFINITION.—As used in this Act, the term
16 “portable gasoline container” means a portable gasoline
17 container intended for use by consumers.

18 (d) EFFECTIVE DATE.—The consumer product safe-
19 ty standard required by subsection (a) shall take effect
20 on the date that is 6 months after the date on which such
21 standard shall be promulgated.

22 (e) REPORT.—Not later than 2 years after the date
23 of enactment of this Act, the Consumer Product Safety
24 Commission shall transmit to the Committee on Energy
25 and Commerce of the House of Representatives and the

1 Committee on Commerce, Science, and Transportation of
2 the Senate a report on—

3 (1) the degree of industry compliance with the
4 standard promulgated under subsection (a);

5 (2) any enforcement actions brought by the
6 Commission to enforce such standard; and

7 (3) incidents involving children interacting with
8 portable gasoline containers (including both those
9 that are and are not in compliance with the stand-
10 ard promulgated under subsection (a)).

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