

[Committee Print]

(SHOWING THE TEXT OF H.R. 814 AS REPORTED BY THE SUBCOMMITTEE
ON COMMERCE, TRADE, AND CONSUMER PROTECTION, JULY 31, 2007)

110TH CONGRESS
1ST SESSION

H. R. 814

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

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 2007

Mr. MOORE of Kansas (for himself, Mr. BACHUS, Mr. BURTON of Indiana, Mr. CLAY, Mr. CLEAVER, Mr. COBLE, Mr. CUMMINGS, Mr. LINCOLN DAVIS of Tennessee, Mr. GILLMOR, Mr. GUTIERREZ, Mr. HOLDEN, Mr. HOLT, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Mr. KENNEDY, Ms. ZOE LOFGREN of California, Mrs. MCCARTHY of New York, Mr. MICHAUD, Mr. MORAN of Virginia, Mrs. NAPOLITANO, Mr. PRICE of North Carolina, Ms. SCHAKOWSKY, Ms. SCHWARTZ, Mr. SHERMAN, and Mr. WYNN) introduced the following bill; which was referred to the Committee on Energy and Commerce

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,*

1 **SECTION 1. SHORT TITLE.**

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

4 **SEC. 2. CHILD-RESISTANT PORTABLE GASOLINE CON-**
5 **TAINERS.**

6 (a) CONSUMER PRODUCT SAFETY RULE.—The pro-
7 vision of subsection (b) shall be considered to be a con-
8 sumer product safety rule issued by the Consumer Product
9 Safety Commission under section 9 of the Consumer Prod-
10 uct Safety Act (15 U.S.C. 2058).

11 (b) REQUIREMENTS.—Effective 6 months after the
12 date of enactment of this Act, each portable gasoline con-
13 tainer manufactured on or after that date for sale in the
14 United States shall conform to the child-resistance re-
15 quirements for closures on portable gasoline containers
16 specified in the standard ASTM F2517-05, issued by
17 ASTM International.

18 (c) DEFINITION.—As used in this Act, the term
19 “portable gasoline container” means any portable gasoline
20 container intended for use by consumers.

21 (d) REVISION OF RULE.—If, after the enactment of
22 this Act, ASTM International proposes to revise the child
23 resistance requirements of ASTM F2517-05, ASTM
24 International shall notify the Consumer Product Safety
25 Commission of the proposed revision and the proposed re-
26 vision shall be incorporated in the consumer product safe-

1 ty rule under subsection (a) unless, within 60 days of such
2 notice, the Commission notifies ASTM International that
3 the Commission has determined that such revision does
4 not carry out the purposes of subsection (b).

5 (e) IMPLEMENTING REGULATIONS.—Section 553 of
6 title 5, United States Code, shall apply with respect to
7 the issuance of any regulations by the Consumer Product
8 Safety Commission to implement the requirements of this
9 section, and sections 7 and 9 of the Consumer Product
10 Safety Act shall not apply to such issuance.

11 (f) REPORT.—Not later than 2 years after the date
12 of enactment of this Act, the Consumer Product Safety
13 Commission shall transmit to the Committee on Energy
14 and Commerce of the House of Representatives and the
15 Committee on Commerce, Science, and Transportation of
16 the Senate a report on—

17 (1) the degree of industry compliance with the
18 standard promulgated under subsection (a);

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

21 (3) incidents involving children interacting with
22 portable gasoline containers (including both those
23 that are and are not in compliance with the stand-
24 ard promulgated under subsection (a)).