

109TH CONGRESS  
1ST SESSION

# H. R. 4023

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

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 7, 2005

Mr. BACHUS (for himself, Mr. MOORE of Kansas, Mr. WAXMAN, Mr. WELDON of Pennsylvania, Ms. WASSERMAN SCHULTZ, Mr. McDERMOTT, Mr. BOSWELL, Mr. GUTIERREZ, Mr. JACKSON of Illinois, Mr. UDALL of New Mexico, Mr. PRICE of North Carolina, Mrs. MCCARTHY, Mr. MELANCON, Mr. DOGGETT, Mr. BISHOP of New York, Mr. NADLER, Mr. LARSON of Connecticut, Ms. JACKSON-LEE of Texas, Mr. MEEHAN, Ms. SLAUGHTER, Mr. ACKERMAN, Mr. RAHALL, Mr. HOYER, Mr. LEWIS of Georgia, Ms. KAPTUR, Mr. CARDIN, Mr. KENNEDY of Rhode Island, Mr. HINCHAY, Mr. WEINER, Mr. MARKEY, Mrs. DAVIS of California, Mr. DAVIS of Alabama, Mr. DAVIS of Illinois, Mr. VAN HOLLEN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BLUMENAUER, Mr. HOLT, Ms. CARSON, Ms. DELAURO, Ms. SOLIS, Mr. MORAN of Virginia, Mr. CLEAVER, Ms. SCHWARTZ of Pennsylvania, Mr. KILDEE, Mr. CARNAHAN, Mr. MATHESON, Mr. CARDOZA, Mr. WU, Mr. SPRATT, Mr. DAVIS of Tennessee, Mrs. NAPOLITANO, Ms. SCHAKOWSKY, Ms. WOOLSEY, Mr. HOLDEN, Ms. BERKLEY, Mr. GILLMOR, Mr. SCHIFF, Mr. HONDA, Mr. EDWARDS, Mr. ISRAEL, Mr. CONYERS, Ms. ZOE LOFGREN of California, Mr. INSLEE, Mr. NEAL of Massachusetts, and Mr. TOM DAVIS of Virginia) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## 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,  
10 the Consumer Product Safety Commission shall promul-  
11 gate, as final consumer product safety standards under  
12 section 9 of the Consumer Product Safety Act (15 U.S.C.  
13 2058), child-resistance standards for closures on all port-  
14 able gasoline containers. Such standards shall be substan-  
15 tially the same as the standard ASTM F2517–05, issued  
16 by ASTM International, or any successor standard issued  
17 by ASTM International.

18        (b) APPLICATION OF CERTAIN PROMULGATION RE-  
19 QUIREMENTS.—The requirements of subsections (a)  
20 through (f) of section 9 of the Consumer Product Safety  
21 Act (15 U.S.C. 2058(a) through (f)) shall not apply to  
22 the consumer product safety standards required by sub-  
23 section (a) of this section.

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

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

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

14 (1) the degree of industry compliance with the  
15 standard promulgated under subsection (a);

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

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

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