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# 15 U.S. Code § 2056d

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## Performance standards to protect against portable fuel container explosions near open flames or other ignition sources

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### **(a) Short title**

This section may be cited as the “Portable Fuel Container Safety Act of 2020”.

### **(b) Standards**

#### **(1) Rule on safety performance standards required**

Not later than 30 months after December 27, 2020, the Consumer Product Safety Commission (referred to in this section as the “Commission”) shall promulgate a final rule to require flame mitigation devices in portable fuel containers that impede the propagation of flame into the container, except as provided in paragraph (3).

#### **(2) Rulemaking; consumer product safety standard**

A rule under paragraph (1)—

(A) shall be promulgated in accordance with section 553 of title 5; and

(B) shall be treated as a consumer product safety rule promulgated under section 2058 of this title.

#### **(3) Exception**

##### **(A) Voluntary standard**

Paragraph (1) shall not apply for a class of portable fuel containers in the scope of this section if the Commission determines at any time that—

(i) there is a voluntary standard for flame mitigation devices for those containers that impedes the propagation of flame into the container;

(ii) the voluntary standard described in clause (i) is or will be in effect not later than 18 months after December 27, 2020; and

(iii) the voluntary standard described in clause (i) is developed by ASTM International or such other standard development organization that the Commission determines to have met the intent of this section.

##### **(B) Determination required to be published in the Federal Register**

Any determination made by the Commission under this subsection shall be published in the Federal Register.

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