

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 An Act to amend the Code of Virginia by adding a section numbered 59.1-155.1, relating to an  
3 antifreeze bittering agent; penalty.

4 [H 2629]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding a section numbered 59.1-155.1 as follows:**8 *§ 59.1-155.1. Engine coolant and antifreeze bittering agent; penalty.*

9 A. Any engine coolant or antifreeze manufactured after January 1, 2011, and sold within the  
10 Commonwealth that contains more than 10 percent ethylene glycol shall include not less than 30 parts  
11 per million and not more than 50 parts per million denatonium benzoate as a bittering agent in order to  
12 render the coolant or antifreeze unpalatable.

13 B. A manufacturer, processor, distributor, recycler or seller of an engine coolant or antifreeze that is  
14 required to contain an aversive agent under subsection A shall not be liable to any person for any  
15 personal injury, death, property damage, damage to the environment (including natural resources), or  
16 economic loss that results from the inclusion of denatonium benzoate in any engine coolant or  
17 antifreeze, provided that the inclusion of denatonium benzoate is present in concentrations mandated by  
18 subsection A. The limitation on liability does not apply to a particular liability to the extent that the  
19 cause of such liability is unrelated to the inclusion of denatonium benzoate in any engine coolant or  
20 antifreeze.

21 C. The provisions of this section shall not apply to (i) the sale of a motor vehicle that contains  
22 engine coolant or antifreeze, (ii) a wholesale container of engine coolant or antifreeze designed to  
23 contain 55 gallons or more of engine coolant or antifreeze, or (iii) engine coolant or antifreeze  
24 reformulated through on site recycling.

25 D. Any person violating any provision of this section shall be assessed a civil penalty of up to \$100  
26 per violation. Each day of violation shall constitute a separate offense.

27 E. This section shall not apply to engine coolant or antifreeze that is purchased pursuant to military  
28 specifications.

29 **2. That the provisions of this act shall become effective on January 1, 2011.**

ENROLLED

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