

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 241

By: Boggs

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5
6 AS INTRODUCED

7 An Act relating to motor fuels; amending Section 46,
8 Chapter 27, O.S.L. 2018 (17 O.S. Supp. 2018, Section
9 347), which relates to ethanol or methanol label
10 requirements; requiring retailers to post certain
11 fuel ratings on signage; specifying requirements for
12 signage; providing requirements for pumps and
13 dispensing units; requiring distinction of fuels to
14 be displayed; and providing an effective date.

15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. AMENDATORY Section 46, Chapter 27, O.S.L.
17 2018 (17 O.S. Supp. 2018, Section 347), is amended to read as
18 follows:

19 Section 347. A. No person shall sell or offer for sale motor
20 fuel from a motor fuel dispenser supplied by a storage tank into
21 which motor fuel that contains a mixture of at least one percent
22 (1%) by volume of ethanol or methanol has been delivered within the
23 sixty-day period preceding the date of sale or offer of sale unless
24 the person prominently displays on the dispenser from which the
25 mixture is sold a label that complies with subsection B of this
26 section.

1 B. A label as required in subsection A of this section shall:

2 1. Be displayed on each face of the motor fuel dispenser on
3 which the price of the motor fuel mixture sold from the dispenser is
4 displayed;

5 2. State "Contains Ethanol" or "Contains Methanol", as
6 applicable;

7 3. Appear in contrasting colors with block letters at least
8 one-half (1/2) inch high and one-fourth (1/4) inch wide; and

9 4. Be displayed in a clear, conspicuous and prominent manner,
10 visible to customers using either side of the dispenser.

11 C. If a motor fuel dispenser is supplied by a storage tank into
12 which motor fuel containing at least ten percent (10%) ethanol by
13 volume or at least five percent (5%) methanol by volume is delivered
14 in the sixty-day period preceding the date of the sale or offer of
15 sale, the sign as required in subsection A of this section shall
16 also state the percentage of ethanol or methanol by volume, to the
17 nearest whole percent, of the motor fuel having the highest
18 percentage of ethanol or methanol delivered into that storage tank
19 during that period.

20 D. On request by a motor fuel user, a person selling or
21 offering for sale motor fuel from a motor fuel dispenser shall
22 reveal:

23 1. The percentage of ethanol contained in the motor fuel being
24 sold;

1 2. The percentage of methanol contained in the motor fuel being
2 sold; and

3 3. If the motor fuel contains methanol, the types and
4 percentages of associated cosolvents contained in the motor fuel
5 being sold.

6 E. The provisions of this section shall not prohibit the
7 posting of any other alcohol or additive information. Other alcohol
8 or additive information and any relevant posting shall be subject to
9 regulation by the Corporation Commission.

10 F. In addition to the labeling and displaying requirements of
11 this section, every retailer shall disclose the fuel ratings with
12 the alternative liquid automotive fuels and/or additives on all
13 signage including but not limited to any overhead, canopy, pumps,
14 and dispensers. The signage shall separately identify ethanol
15 blended gasoline and regular unleaded gasoline.

16 A price that is posted on any signage shall coincide with the
17 price on the dispenser and any other sign on the premises or roadway
18 displaying price. All signage depicting the product prices shall
19 represent the product actually being sold. All ethanol blended
20 gasoline being sold by the retailer shall be designated as such on
21 all signage. When an ethanol product is being sold, the minimum
22 levels for an ethanol blended product shall be reflected on the
23 signage in a conspicuous manner as follows:

24 1. Ethanol/Minimum E-10% Ethanol;
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1 2. Ethanol/Minimum E-15% Ethanol; and

2 3. Ethanol/Minimum E-85% Ethanol.

3 All pumps and dispensing equipment for gasoline, alcohol or
4 ethanol blended fuel, diesel, biodiesel, biodiesel blends and
5 kerosene shall be marked to show the price per gallon. If prices of
6 the same product offered for sale have a difference in price from
7 the use of cash or credit cards, then both prices shall be posted.
8 The lower price may be posted provided there is an additional sign
9 displayed showing the higher priced product in close proximity to
10 the permanent price and is easily seen by the consumer.

11 All signs placed on the premises of any business or person
12 advertising the price per gallon of gasoline, alcohol or ethanol-
13 blended gasoline, diesel, biodiesel blends and kerosene shall depict
14 whether the product is unleaded, alcohol or ethanol-blended
15 gasoline, diesel, biodiesel blends or kerosene on the signage with
16 the associated price.

17 G. The Corporation Commission shall promulgate rules as
18 necessary to implement the provisions of this section.

19 SECTION 2. This act shall become effective November 1, 2019.

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