

**CHAPTER 104**

## BEER SALES BY NATIVE WINERIES

S.F. 403

AN ACT concerning the sale of beer by native wineries.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 123.178B, Code 2009, is amended by adding the following new subsection:

**NEW SUBSECTION.** 4. A person holding a class “C” native wine permit and a class “A” native wine permit whose primary purpose is manufacturing native wine may purchase beer from a wholesaler holding a class “A” beer permit for sale at retail.

Approved May 18, 2009

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**CHAPTER 105**

## DISPENSING OF ETHANOL BLENDED GASOLINE

S.F. 423

AN ACT providing for the dispensing of ethanol blended gasoline by authorizing the use of secondary containment.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 455G.31, subsections 2 and 3, Code 2009, are amended to read as follows:

2. A retail dealer may use gasoline storage and dispensing infrastructure to store and dispense ethanol blended gasoline classified as E-9 or higher if all of the following apply:

a. ~~For gasoline storage and dispensing infrastructure other than the dispenser, the department of natural resources under this chapter or the state fire marshal under chapter 101 must determine~~ determines that it is compatible with the ethanol blended gasoline being used.

b. ~~(1) For a 3. A retail dealer may use a dispenser, all of the following shall apply that does not satisfy the requirement in subsection 2 to dispense ethanol blended gasoline classified as higher than E-10 if any of the following applies:~~

(a) ~~a. (1) The dispenser must be is listed by an independent testing laboratory as compatible for use with ethanol blended gasoline classified as E-9 or higher. In addition,~~

(b) ~~The owner or operator or a person authorized by the owner or operator must the retail dealer must~~ visually inspect the dispenser and the dispenser sump daily for leaks and equipment failure and maintain a record of such inspection for at least one year after the inspection. The record shall be located on the premises of the retail dealer and shall be made available to the department of natural resources or the state fire marshal upon request. If a leak is detected, the department of natural resources shall be notified pursuant to section 455B.386.

(2) The state fire marshal shall issue an order as soon as practicable after determining that a commercially available dispenser is listed as compatible for use with E-85 gasoline by an independent testing laboratory. The state fire marshal shall publish the order in the Iowa administrative bulletin. A person shall not install a dispenser which would otherwise be permitted under subparagraph (1) after sixty days following the date that the order is published. A per-