

214A.32 E-15 access standard — retail dealer compliance.

1. Except as provided in [sections 214A.33 through 214A.36](#), a retail dealer owning or operating a retail motor fuel site shall comply with the E-15 access standard as provided in [this section](#).

2. In order to comply with the E-15 access standard, a retail dealer must advertise for sale and sell E-15 gasoline from a minimum number of qualifying gasoline dispensers located at the retail dealer's retail motor fuel site. A qualifying gasoline dispenser must be capable of dispensing gasoline at all times that it is in operation.

a. Except as provided in paragraph "b", a retail dealer shall comply with a general E-15 access standard by dispensing E-15 gasoline from the following:

(1) One qualified gasoline dispenser, if there is only one qualified gasoline dispenser.

(2) At least fifty percent of all qualified gasoline dispensers, if there is more than one qualified gasoline dispenser.

b. (1) A retail dealer complies with an alternative E-15 access standard if all of the following apply:

(a) On and after January 1, 2023, the retail dealer does not install, replace, or convert a gasoline storage tank.

(b) On and after January 1, 2026, the retail dealer advertises for sale and sells E-15 gasoline from at least one qualifying gasoline dispenser.

(2) A retail dealer who no longer complies with the alternative E-15 access standard as provided in subparagraph (1) shall immediately comply with the general E-15 access standard as provided in paragraph "a".

c. The E-15 access standard does not prohibit a retail dealer owning or operating a retail motor fuel site from advertising for sale and selling motor fuel from any number of nonqualifying motor fuel dispensers. A nonqualifying motor fuel dispenser is limited to any of the following:

(1) A dispenser that exclusively dispenses any of the following:

(a) Aviation fuel.

(b) Diesel fuel.

(c) Kerosene.

(2) A dispenser that is part of a tank vehicle as defined in [section 321.1](#) that is not used to dispense gasoline on the premises of the retail motor fuel site.

(3) A dispenser that is part of a commercial marina.

3. a. A retail dealer is not in violation of [this section](#) during any period of noncompliance with the E-15 access standard caused by an excusable event. An excusable event is limited to any of the following:

(1) The maintenance, repair, or reconditioning of gasoline storage and dispensing infrastructure.

(2) The installation, expansion, replacement, or conversion of gasoline storage and dispensing infrastructure.

b. The department may require that a retail dealer notify the department that an excusable event as described in paragraph "a" is planned to occur, is occurring, or has occurred. The department may inspect the applicable retail motor fuel site to determine whether the noncompliance is caused by an excusable event.

4. a. [This section](#) shall be implemented on January 1, 2023.

b. [This subsection](#) is repealed January 2, 2023.

[2022 Acts, ch 1067, §2](#)

Referred to in [§159A.14](#), [214.12](#), [214A.33](#), [214A.34](#), [214A.35](#), [214A.36](#), [214A.37](#)

NEW section