

214A.34 Waiver of E-15 access standard by order issued by secretary of agriculture — E-15 unavailability.

1. The secretary of agriculture may issue an administrative order that temporarily waives the requirement in [section 214A.32](#) that a retail dealer comply with the E-15 access standard at a retail motor fuel site owned or operated by the retail dealer based on E-15 gasoline availability.

2. A retail dealer may apply for an E-15 unavailability waiver order as described in [subsection 1](#) by submitting an application to the department in a manner and according to procedures required by the department.

a. The application must be supported by credible evidence that the retail dealer has not been able to reasonably obtain E-15 gasoline to be advertised for sale and sold at the retail dealer's retail motor fuel site.

b. The retail dealer must sign the application which shall include a statement that the retail dealer swears and affirms that all information in the application completed by the retail dealer is true and correct.

3. The department shall publish a copy of the E-15 unavailability waiver order on the department's internet site within ten days after the order's issuance.

4. The E-15 unavailability waiver order shall take effect on its date of publication on the department's internet site, unless the order specifies a later date. The order shall expire six months from its effective date unless a shorter period is stated in the order. The early expiration of the order may also occur based on circumstances described in the order.

[2022 Acts, ch 1067, §4](#)

Referred to in [§214A.11](#), [214A.32](#)

Subsection 5 stricken per its own terms on January 2, 2023