

701—65.7(452A) Requirements to be licensed. To become licensed as a special fuel user or dealer, a person must file with the department a completed application form for the appropriate license. A separate license is required for each place of business or location where special fuels are regularly delivered or placed into the fuel supply tank of motor vehicles or aircraft.

If a dealer is also a licensed distributor with bulk storage at more than one location, only those locations with fixed equipment designed for fueling motor vehicles or aircraft need be licensed.

If a dealer uses tank vehicles as a “dealer dispensing vehicle” (dispensing special fuel into motor vehicle or aircraft holding tanks), each vehicle need not be licensed, but each vehicle must be fixed with licensed metered pumps. The dealer must hold a dealer’s license for each bulk storage facility which supplies the tank vehicles, and each vehicle will be considered a separate pump at the facility.

At the director’s discretion, an existing special fuel dealer in good standing with the department may be issued a special license to dispense fuel from a tankwagon into the fuel supply tank of a motor vehicle. The tankwagon must be used exclusively for the fueling of motor vehicles with the exception that the tankwagon may also be used to fill the supply tank of a “reefer” unit used for cooling or heating. The tankwagon must be equipped with pumps designed to fuel motor vehicles and the pumps must be metered, inspected, tested for accuracy, sealed and licensed by the Iowa department of agriculture and land stewardship.

The tankwagon meters are considered to be additional meters at the dealer location and must be reported on the dealer’s monthly report in the same manner as the permanent meters. The tankwagon can be filled from a distributor’s storage, from a distributor’s tank vehicle, from the dealer’s metered storage or from a separate storage tank. However, if a dealer withdraws fuel from metered storage, the dealer must maintain adequate records of tankwagon fills to account for these nontaxable withdrawals.

If a “reefer” unit is filled from a metered tankwagon pump, an exemption certificate must be prepared for that nontaxable sale.

A special fuel dealer may dispense fuel from a tankwagon into the fuel supply tank of aircraft without obtaining this special license.

This rule is intended to implement Iowa Code section 452A.36.