

Senate Amendment 3491

PAG LIN

1 1 Amend the House amendment, S=3436, to Senate File
1 2 551, as amended, passed, and reprinted by the Senate,
1 3 as follows:
1 4 #1. Page 1, by inserting after line 2 the
1 5 following:
1 6 <#____. Page 8, by inserting after line 1 the
1 7 following:
1 8 <Sec. _____. BIOFUEL PROMOTION. There is
1 9 appropriated from the general fund of the state to the
1 10 department of natural resources for the fiscal year
1 11 beginning July 1, 2007, and ending June 30, 2008, the
1 12 following amount, or so much thereof as is necessary,
1 13 to be used for the purposes designated:
1 14 For the promotion of retail motor fuel sites
1 15 offering E=85 gasoline or biodiesel blended fuels for
1 16 sale to the public:
1 17 \$ 25,000
1 18 It is the intent of the general assembly that
1 19 moneys appropriated in this section shall be used by
1 20 the clean air choice program administered by the
1 21 American lung association for promotional use for
1 22 retail motor fuel sites that sell E=85 gasoline or
1 23 biodiesel blended fuels to the public.>>
1 24 #2. Page 2, by inserting after line 16 the
1 25 following:
1 26 <#____. Page 20, by inserting after line 27 the
1 27 following:
1 28 <DIVISION ____
1 29 E=85 GASOLINE
1 30 Sec. _____. Section 455G.31, Code 2007, is amended
1 31 to read as follows:
1 32 455G.31 E=85 GASOLINE STORAGE AND DISPENSING
1 33 INFRASTRUCTURE.
1 34 1. As used in this section, unless the context
1 35 otherwise requires:
1 36 a. "E=85 gasoline", "ethanol blended gasoline",
1 37 and "retail dealer" mean the same as defined in
1 38 section 214A.1.
1 39 b. "Gasoline storage and dispensing
1 40 infrastructure" means any storage tank located below
1 41 ground or above ground and any associated equipment
1 42 including but not limited to a pipe, hose, connection,
1 43 fitting seal, or pump, which is used to store,
1 44 measure, and dispense gasoline by a retail dealer.
1 45 2. A retail dealer may use gasoline storage and
1 46 dispensing infrastructure to store and dispense E=85
1 47 gasoline if all of the following apply:
1 48 a. For gasoline storage and dispensing
1 49 infrastructure other than the dispenser, the
1 50 department of natural resources under this chapter or
2 1 the state fire marshal under chapter 101 must
2 2 determine that it is compatible with E=85 gasoline.
2 3 If the compatibility of the thread sealant or adhesive
2 4 is undetermined, the thread sealant or adhesive may
2 5 continue to be used if precision line testing is
2 6 conducted annually and if an analysis to determine
2 7 compatibility of the thread sealant or adhesive is
2 8 completed by July 1, 2011.
2 9 b. For a dispenser, the manufacturer must state
2 10 all one of the following shall apply:
2 11 (1) That the dispenser is, in the opinion of the
2 12 manufacturer, not incompatible with E=85 gasoline.
2 13 The manufacturer must state that the dispenser is
2 14 listed by an independent testing laboratory as
2 15 compatible with ethanol blended gasoline.
2 16 (2) The manufacturer has initiated the process of
2 17 applying to an independent testing laboratory for
2 18 listing of the equipment for use in dispensing E=85
2 19 gasoline.
2 20 A manufacturer's statement must include a written
2 21 statement, with reference to a particular type and
2 22 model of equipment for use in dispensing E=85
2 23 gasoline, signed by a responsible official on behalf
2 24 of the manufacturer, provided either to the retail

~~2 25 dealer using the gasoline storage and dispensing
2 26 infrastructure or to the department of natural
2 27 resources or the state fire marshal. If the written
2 28 statement is provided to a retail dealer, the
2 29 statement shall be retained in the files on the
2 30 premises of the retail dealer and shall be available
2 31 to personnel of the department of natural resources or
2 32 the state fire marshal upon request. The owner or
2 33 operator or a person authorized by the owner or
2 34 operator must visually inspect the dispenser and the
2 35 dispenser sump daily for leaks and equipment failure
2 36 and maintain a record of such inspection for at least
2 37 one year after the inspection. If a leak is detected,
2 38 the department of natural resources shall be notified
2 39 pursuant to section 455B.386.~~

~~2 40 If a commercially available dispenser is listed as
2 41 compatible for use with E-85 gasoline by an
2 42 independent testing laboratory, this paragraph "b"
2 43 shall not apply to new dispensers installed after the
2 44 commercial availability of such a certified dispenser.~~

~~2 45 3. This section is repealed July 1, 2009.>>~~

2 46 #3. By renumbering as necessary.

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THOMAS RIELLY

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BRIAN SCHOENJAHN

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FRANK B. WOOD

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