

House File 2128

H-8006

- 1 Amend the amendment, H-8005, to House File 2128, as follows:
- 2 1. Page 1, before line 2 by inserting:
- 3 <\_\_\_. By striking page 1, line 19, through page 2, line 8,
- 4 and inserting:
- 5 <2. a. A retail dealer complies with the E-15 access
- 6 standard if, on and after January 1, 2026, the retail dealer
- 7 advertises for sale and sells E-15 gasoline from at least one
- 8 qualifying motor fuel dispenser located at the retail dealer's
- 9 retail motor fuel site. A qualifying motor fuel dispenser must
- 10 be capable of dispensing gasoline at all times that it is in
- 11 operation.>
- 12 \_\_\_. Page 2, line 9, by striking <c.> and inserting <b.>
- 13 2. Page 1, after line 3 by inserting:
- 14 <\_\_\_. Page 4, by striking lines 9 through 12 and inserting:
- 15 <b. The retail dealer must sign the application.>
- 16 3. Page 1, by striking lines 8 through 17 and inserting:
- 17 <\_\_\_. By striking page 5, line 11, through page 8, line 33,
- 18 and inserting:
- 19 <b. The application must include information required by
- 20 the department to be completed by the retail dealer. The
- 21 department shall review and evaluate an application. The
- 22 retail dealer must sign the application. If an Iowa licensed
- 23 installer completes an inspection report to support an
- 24 application as provided in this section, the Iowa licensed
- 25 installer shall sign the report.
- 26 3. The department shall grant an E-15 incompatible
- 27 infrastructure class 1 waiver order if all motor fuel storage
- 28 tanks used to store gasoline that are located at the retail
- 29 motor fuel site fall within any of the following categories:
- 30 a. Each motor fuel storage tank not constructed of
- 31 fiberglass was installed during or prior to 1985.
- 32 b. Each motor fuel storage tank constructed of fiberglass
- 33 was installed during or prior to the following years:
- 34 (1) For a double-wall fiberglass underground motor fuel
- 35 storage tank, 1991.

1 (2) For a single-wall fiberglass underground motor fuel  
2 storage tank, 2005.

3 c. Any product piping, other than as provided in paragraph  
4 "d", was installed during or prior to 2006.

5 d. Any product piping with pipe dope, glue, or thread  
6 sealant was installed during or prior to 2008.

7 4. The department shall grant an E-15 incompatible  
8 infrastructure class 2 waiver order if all of the following  
9 apply:

10 a. The retail dealer submits to the department all of the  
11 following:

12 (1) An inventory and description of motor fuel storage and  
13 dispensing infrastructure located at the retail motor fuel  
14 site.

15 (2) An inspection report completed by an Iowa licensed  
16 installer. The inspection report shall include an estimated  
17 total cost of improving the retail motor fuel site to comply  
18 with the E-15 access standard by installing, replacing,  
19 or converting one motor fuel storage tank and related  
20 infrastructure located at the retail motor fuel site.

21 b. The department determines that the total estimated  
22 cost of the improvement as described in paragraph "a" exceeds  
23 twenty-one thousand five hundred dollars.

24 5. a. The department shall issue an E-15 incompatible  
25 infrastructure waiver order to an eligible retail dealer not  
26 later than one hundred days after the date that the eligible  
27 retail dealer's application was submitted to the department for  
28 filing.

29 b. The department of agriculture and land stewardship  
30 may cooperate with the department of natural resources and  
31 the state fire marshal in administering and enforcing the  
32 provisions of this section, including conducting an inspection  
33 of the retail motor fuel site.

34 c. The department shall publish a copy of the E-15  
35 incompatible infrastructure waiver order on the department's

1 internet site within ten days after the order's issuance. The  
2 order shall take effect on its date of publication, unless the  
3 order specifies a later date.

4 *d.* (1) The secretary of agriculture shall terminate the  
5 incompatible infrastructure waiver order if a terminable event  
6 has occurred. A terminable event is limited to any of the  
7 following:

8 (a) The failure of a retail dealer to be licensed as  
9 required under section 214.2 to use a commercial weighing and  
10 measuring device when dispensing gasoline.

11 (b) The cessation of the retail dealer's business of  
12 advertising for sale or selling gasoline at the retail motor  
13 fuel site.

14 (c) The installation or replacement of a motor fuel storage  
15 tank located at the retail motor fuel site.

16 (2) The department may require that a retail dealer  
17 notify the department that a terminable event as described in  
18 subparagraph (1) is planned to occur, is occurring, or has  
19 occurred.>

20 \_\_\_\_\_. Page 8, line 34, by striking <7.> and inserting <6.>

21 \_\_\_\_\_. Page 9, line 1, by striking <8.> and inserting <7.>

22 4. Page 1, by striking lines 18 through 23 and inserting:

23 <\_\_\_\_\_. By striking page 13, line 29, through page 14, line  
24 14.

25 \_\_\_\_\_. Page 16, line 33, by striking <E-85> and inserting  
26 <E-25>>

27 5. Page 1, after line 26 by inserting:

28 <\_\_\_\_\_. Page 17, line 4, by striking <E-85> and inserting  
29 <E-25>

30 \_\_\_\_\_. Page 17, line 7, by striking <E-85> and inserting  
31 <E-25>

32 \_\_\_\_\_. Page 17, line 20, by striking <or higher>

33 \_\_\_\_\_. Page 17, line 23, by striking <or higher>>

34 6. Page 1, after line 32 by inserting:

35 <\_\_\_\_\_. Page 25, after line 18 by inserting:

1 <(1) (a) For biodiesel blended fuel classified as B-5 or  
2 higher but not as high as B-11, the designated rate is three  
3 and one-half cents.

4 (b) This subparagraph is repealed January 1, 2025.>  
5 \_\_\_\_\_. Page 25, line 19, by striking <(1)> and inserting <(2)>  
6 \_\_\_\_\_. Page 25, line 21, by striking <(2)> and inserting <(3)>  
7 \_\_\_\_\_. Page 25, line 27, by striking <(3)> and inserting <(4)>  
8 \_\_\_\_\_. Page 36, line 32, after <gasoline> by inserting <using  
9 motor fuel tanks, piping, and associated equipment located  
10 below ground; or dispense ethanol blended gasoline classified  
11 as E-25 using dispensers and associated equipment located  
12 aboveground>  
13 \_\_\_\_\_. Page 37, line 10, by striking <or higher>  
14 7. By renumbering as necessary.

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