

Commerce: Hansen of O'Brien, Chair; Renken and Baxter.

Do Pass 3/23 (p. 962)

SENATE FILE 2212

BY COMMITTEE ON COMMERCE

(FORMERLY SSB 2157)

Approved (p. 532)

FILED FEB 26 1982

Passed Senate, Date 3-5-82 (p. 611) Passed House, Date 4-7-82 (p. 1306)

Vote: Ayes 40 Nays 6 Vote: Ayes 95 Nays 0

Repassed Senate as amended Approved May 10, 1982

4-19-82 (p. 1267)

47-0

# A BILL FOR

- 1 An Act authorizing the measurement of consumer sales of
- 2 special fuel by use of a temperature compensated meter.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SENATE FILE 2212

H-5697

- 1 Amend Senate File 2212, as follows:
- 2 1. Page 1, by inserting after line 17, the
- 3 following:
- 4 "The deliberate heating of road taxable motor
- 5 fuel or special fuel by dealers prior to consumer
- 6 sale is a simple misdemeanor."

BY SCHROEDER of Pottawattamie  
 DANKER of Pottawattamie HARBOR of Mills  
 WOODS of Polk CHIODO of Polk  
 H-5697 FILED APRIL 5, 1982 JOHNSON of Linn  
 Adopted 4/7 (p. 1306)

SENATE FILE 2212

H-5756

- 1 Amend Senate File 2212, as follows:
- 2 1. Title page, by striking lines 1 and 2 and
- 3 inserting in lieu thereof the following: "An Act
- 4 relating to fuel sales including the temperature of
- 5 fuel sold."

H-5756 FILED APRIL 7, 1982 BY HANSEN of O'Brien  
 ADOPTED BY UNANIMOUS CONSENT (p. 1306)

1 Section 1. Section 324.34, unnumbered paragraph 3, Code  
2 1981, is amended to read as follows:

3 The department of revenue shall make reasonable rules and  
4 ~~regulations~~ governing the dispensing of special fuel by  
5 distributors, special fuel dealers and licensed special fuel  
6 users. The department shall require that all pumps located  
7 at special fuel dealer locations and licensed special fuel  
8 user locations through which fuel oil can be dispensed, be  
9 metered, inspected, tested for accuracy, sealed and licensed  
10 by the state department of agriculture, and that special fuel  
11 delivered into the fuel supply tank of any motor vehicle or  
12 into a motor vehicle special fuel holding tank shall be  
13 dispensed only through tested metered pumps and may be sold  
14 without temperature correction or corrected to a temperature  
15 of sixty degrees. If the metered gallonage is to be  
16 temperature corrected, only a temperature compensated meter  
17 shall be used.

18 EXPLANATION

19 The bill provides that if sales of special fuel by distribu-  
20 tors, special fuel dealers, and licensed special fuel users  
21 are to be temperature corrected, then a temperature compensated  
22 meter shall be used. The bill takes effect July 1 following  
23 enactment.

HOUSE AMENDMENT TO SENATE FILE 2212

S-5556

1 Amend Senate File 2212, as follows:

2 1. Page 1, by inserting after line 17, the  
3 following:

4 "The deliberate heating of road taxable motor fuel  
5 or special fuel by dealers prior to consumer sale  
6 is a simple misdemeanor."

7 2. Title page, by striking lines 1 and 2 and  
8 inserting in lieu thereof the following: "An Act  
9 relating to fuel sales including the temperature of  
10 fuel sold."

S-5556 FILED  
APRIL 13, 1982

RECEIVED FROM THE HOUSE  
*Senate concurred 4/19 (J. 1267)*

The deliberate heating of road taxable motor fuel or special fuel by dealers prior to consumer sale is a simple misdemeanor.

SENATE FILE 2212

AN ACT

RELATING TO FUEL SALES INCLUDING THE TEMPERATURE OF FUEL SOLD.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 324.34, unnumbered paragraph 3, Code 1981, is amended to read as follows:

The department of revenue shall make reasonable rules and regulations governing the dispensing of special fuel by distributors, special fuel dealers and licensed special fuel users. The department shall require that all pumps located at special fuel dealer locations and licensed special fuel user locations through which fuel oil can be dispensed, be metered, inspected, tested for accuracy, sealed and licensed by the state department of agriculture, and that special fuel delivered into the fuel supply tank of any motor vehicle or into a motor vehicle special fuel holding tank shall be dispensed only through tested metered pumps and may be sold without temperature correction or corrected to a temperature of sixty degrees. If the metered gallonage is to be temperature corrected, only a temperature compensated meter shall be used.

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TERRY E. BRANSTAD  
President of the Senate

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DELRWIN STROMER  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2212, Sixty-ninth General Assembly.

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K. MARIE THAYER  
Secretary of the Senate  
Approved May 10 1982

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ROBERT D. RAY  
Governor

SF  
2212