

House File 2247 - Introduced

HOUSE FILE _____
BY KUHN and WHITEAD

(COMPANION TO LSB 5728SS
BY JOHNSON)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for motor fuel pumps which dispense renewable
2 fuel.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5728YH 82
5 da/nh/5

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1 1 Section 1. Section 15G.201, subsection 1, Code 2007, is
1 2 amended to read as follows:
1 3 1. "Biodiesel", "biodiesel blended fuel", "E=85 gasoline",
1 4 "gasoline", "motor fuel", "~~motor fuel pump~~", "retail dealer",
1 5 and "retail motor fuel site" mean the same as defined in
1 6 section 214A.1.
1 7 Sec. 2. Section 15G.201, Code 2007, is amended by adding
1 8 the following new subsection:
1 9 NEW SUBSECTION. 4A. "Motor fuel pump" and "motor fuel
1 10 blender pump" or "blender pump" mean the same as defined in
1 11 section 214.1.
1 12 Sec. 3. Section 15G.203, subsection 1, Code Supplement
1 13 2007, is amended to read as follows:
1 14 1. a. The purpose of the program is to improve retail
1 15 motor fuel sites by installing, replacing, or converting motor
1 16 fuel storage and, blending, or dispensing infrastructure. The
1 17 infrastructure must be designed and shall be used exclusively
1 18 to store do any of the following:
1 19 (1) Store and dispense renewable fuel which is E=85
1 20 gasoline, biodiesel, or biodiesel blended fuel.
1 21 (2) Blend and dispense renewable fuel from a motor fuel
1 22 blender pump.
1 23 b. The improvement must occur on the premises of retail
1 24 motor fuel sites operated by retail dealers.
1 25 Sec. 4. Section 15G.203, subsection 4, paragraph b,
1 26 subparagraphs (3) and (4), Code Supplement 2007, are amended
1 27 to read as follows:
1 28 (3) A statement describing how the retail motor fuel site
1 29 is to be improved, the total estimated cost of the planned
1 30 improvement, and the date when the infrastructure will be
1 31 first used to ~~store and~~ dispense the renewable fuel.
1 32 (4) A statement certifying that the infrastructure shall
1 33 not be used to store or dispense motor fuel ~~other than E=85~~
1 34 ~~gasoline, biodiesel, or biodiesel blended fuel in violation of~~
1 35 ~~this section~~, unless granted a waiver by the infrastructure
2 1 board pursuant to this section.
2 2 Sec. 5. Section 15G.203, subsection 8, unnumbered
2 3 paragraph 1, Code Supplement 2007, is amended to read as
2 4 follows:
2 5 A person shall not use financial incentives to install,
2 6 replace, or convert infrastructure, unless the infrastructure
2 7 is used to store, blend, or dispense renewable fuel. A
2 8 participating person shall not use the infrastructure to store
2 9 and dispense motor fuel other than the type of renewable fuel
2 10 approved by the board in the cost-share agreement, unless one
2 11 of the following applies:
2 12 Sec. 6. Section 15G.203, subsection 8, paragraph a, Code
2 13 Supplement 2007, is amended to read as follows:
2 14 a. The participating person is granted a waiver by the
2 15 infrastructure board. The participating person shall store,
2 16 blend, or dispense the motor fuel according to the terms and
2 17 conditions of the waiver.

2 18 Sec. 7. Section 214.1, Code 2007, is amended to read as
2 19 follows:

2 20 214.1 DEFINITIONS.

2 21 ~~For the purpose of As used in this chapter, unless the~~
2 22 ~~context otherwise requires:~~

2 23 1. ~~"Biofuel", "biodiesel", "ethanol", "motor fuel",~~
2 24 ~~"retail dealer", "retail motor fuel site", and "wholesale~~
2 25 ~~dealer" mean the same as defined in section 214A.1.~~

2 26 2. ~~"Commercial weighing and measuring device" or "device"~~
2 27 ~~means the same as defined in section 215.26.~~

2 28 2. ~~"Motor fuel" means the same as defined in section~~
2 29 ~~214A.1.~~

2 30 3. ~~"Motor fuel blender pump" or "blender pump" means a~~
2 31 ~~motor fuel pump that allows a retail customer of motor fuel to~~
2 32 ~~select a volume percentage of biofuel in motor fuel to be~~
2 33 ~~dispensed from the motor fuel pump at a retail motor fuel~~
2 34 ~~site.~~

2 35 4. ~~"Motor fuel pump" means a pump, meter, or similar~~
3 1 ~~commercial weighing and measuring device used to measure and~~
3 2 ~~dispense motor fuel on a retail basis.~~

3 3 4. ~~"Retail dealer" means the same as defined in section~~
3 4 ~~214A.1.~~

3 5 5. ~~"Wholesale dealer" means the same as defined in section~~
3 6 ~~214A.1.~~

3 7 Sec. 8. Section 214.9, Code 2007, is amended to read as
3 8 follows:

3 9 214.9 ~~SELF-SERVICE REGULATION OF MOTOR FUEL PUMPS.~~

3 10 1. ~~Self-service A self-service motor fuel pumps pump at a~~
3 11 ~~retail motor vehicle fuel stations site may be equipped with~~
3 12 ~~an automatic latch=open devices device on the fuel dispensing~~
3 13 ~~hose nozzle only if the nozzle valve is the automatic closing~~
3 14 ~~type.~~

3 15 2. ~~The department shall ensure that a motor fuel blender~~
3 16 ~~pump accurately distributes the volume percent of biofuel~~
3 17 ~~selected by the consumer at the price offered by the retail~~
3 18 ~~dealer.~~

3 19 Sec. 9. Section 214A.1, subsection 14, Code 2007, is
3 20 amended to read as follows:

3 21 14. ~~"Motor fuel pump" means and "motor fuel blender pump"~~
3 22 ~~or "blender pump" means the same as defined in section 214.1.~~

3 23 Sec. 10. Section 214A.3, subsection 2, paragraph b, Code
3 24 2007, is amended to read as follows:

3 25 b. (1) Ethanol blended gasoline sold by a dealer shall be
3 26 designated E=xx where "xx" is the volume percent of ethanol in
3 27 the ethanol blended gasoline. However, a person advertising
3 28 E=10 gasoline may only designate it as ethanol blended
3 29 gasoline. ~~The motor fuel blender pump must accurately inform~~
3 30 ~~the customer of the volume percent of ethanol being dispensed~~
3 31 ~~at the blender pump.~~ A person shall not knowingly falsely

3 32 advertise ethanol blended gasoline by using an inaccurate
3 33 designation in violation of this subparagraph.

3 34 (2) Biodiesel blended fuel shall be designated B=xx where
3 35 "xx" is the volume percent of biodiesel in the biodiesel
4 1 blended fuel. ~~The motor fuel blender pump must accurately~~
4 2 ~~inform the customer of the volume percent of biodiesel being~~
4 3 ~~dispensed at the blender pump.~~ A person shall not knowingly

4 4 falsely advertise biodiesel blended fuel by using an
4 5 inaccurate designation in violation of this subparagraph.

4 6 EXPLANATION

4 7 This bill provides for a new type of motor fuel pump
4 8 referred to as a motor fuel blender pump (blender pump) which
4 9 allows a retail customer to select the percent of biofuel,
4 10 either ethanol (ethyl alcohol) which is blended into gasoline,
4 11 or biodiesel (derived from vegetable oils or animal fats)
4 12 which is blended into diesel fuel.

4 13 The bill expands the renewable fuel infrastructure program
4 14 to provide cost share financing to support the installation of
4 15 or conversion of blender pumps and related infrastructure at
4 16 service stations (referred to as retail motor fuel sites).
4 17 Financing is awarded by a renewable fuel infrastructure board
4 18 established within the department of economic development.

4 19 The bill authorizes the department of agriculture and land
4 20 stewardship to regulate blender pumps and requires a retail
4 21 dealer to accurately inform the customer of the volume percent
4 22 of biofuel being dispensed at the blender pump.

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