

Senate File 2152 - Introduced

SENATE FILE 2152
BY JOHNSON

A BILL FOR

1 An Act relating to motor fuel, including ethanol blended
2 gasoline and biodiesel fuel, by limiting the liability of
3 retail dealers.

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

1 Section 1. NEW SECTION. 214A.20 Retail dealers —
2 limitation on liability

3 1. A retail dealer is not liable for damages caused to a
4 motor by the use of incompatible motor fuel dispensed at the
5 retail dealer's retail motor fuel site, if all of the following
6 applies:

7 a. The incompatible motor fuel complies with the
8 specifications for a type of motor fuel as provided in section
9 214A.2.

10 b. The incompatible motor fuel is selected by a person other
11 than the retail dealer, including an employee or agent of the
12 retail dealer.

13 c. The incompatible motor fuel is dispensed from a motor
14 fuel pump that correctly labels the type of fuel dispensed.

15 2. For purposes of this section, a motor fuel is
16 incompatible with a motor according to the manufacturer of the
17 motor.

18 EXPLANATION

19 This bill amends Code chapter 214A which provides for motor
20 fuel, including gasoline or ethanol blended gasoline, E-85
21 gasoline, diesel fuel, and biodiesel fuel. The bill provides
22 that a retail dealer is not liable for damages caused to a
23 motor by the use of an incompatible motor fuel (e.g., the use
24 of E-85 gasoline in a conventional gasoline-powered motor).
25 The bar against liability depends upon the satisfaction
26 of certain conditions: (1) the motor fuel must meet legal
27 specifications, (2) the retail dealer cannot have selected
28 it for use in the motor, and (3) the dispensing pump must be
29 correctly labeled.