

1 **SENATE FLOOR VERSION**

2 April 6, 2023

3 **AS AMENDED**

4 ENGROSSED HOUSE

5 BILL NO. 2839

6 By: Caldwell (Trey) and Boles
7 of the House

8 and

9 Rader of the Senate

10 [Oklahoma Petroleum Storage Tank Consolidation Act -
11 ethanol or methanol labeling - federal requirements -
12 effective date]

13 ~~BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:~~

14 SECTION 1. AMENDATORY 17 O.S. 2021, Section 347, is
15 amended to read as follows:

16 Section 347. A. No person shall sell or offer for sale motor
17 fuel from a motor fuel dispenser supplied by a storage tank into
18 which motor fuel that contains a mixture of at least one percent
19 (1%) by volume of ethanol or methanol has been delivered within the
20 sixty-day period preceding the date of sale or offer of sale unless
21 the person prominently displays on the dispenser from which the
22 mixture is sold a label that complies with subsection B of this
23 section.

24 B. 1. A label as required in subsection A of this section
shall:

~~1.~~ Be

1 a. be displayed on each face of the motor fuel dispenser
2 on which the price of the motor fuel mixture sold from
3 the dispenser is displayed~~+~~,

4 ~~2.~~ State

5 b. state "Contains Ethanol" or "Contains Methanol", as
6 applicable~~+~~,

7 ~~3.~~ Appear

8 c. appear in contrasting colors with block letters at
9 least one-half (1/2) inch high and one-fourth (1/4)
10 inch wide~~+~~, and

11 ~~4.~~ Be

12 d. be displayed in a clear, conspicuous and prominent
13 manner, visible to customers using either side of the
14 dispenser.

15 2. If the motor fuel contains fifteen percent (15%) ethanol, a
16 pump label as required in subsection A of this section shall meet
17 federal E15 labeling requirements as ruled by the Environmental
18 Protection Agency pursuant to 40 CFR Part 1090.1510 as it is written
19 on February 1, 2023.

20 C. If a motor fuel dispenser is supplied by a storage tank into
21 which motor fuel containing at least ten percent (10%) ethanol by
22 volume or at least five percent (5%) methanol by volume is delivered
23 in the sixty-day period preceding the date of the sale or offer of
24 sale, the sign as required in subsection A of this section shall

1 also state the percentage of ethanol or methanol by volume, to the
2 nearest whole percent, of the motor fuel having the highest
3 percentage of ethanol or methanol delivered into that storage tank
4 during that period.

5 D. On request by a motor fuel user, a person selling or
6 offering for sale motor fuel from a motor fuel dispenser shall
7 reveal:

8 1. The percentage of ethanol contained in the motor fuel being
9 sold;

10 2. The percentage of methanol contained in the motor fuel being
11 sold; and

12 3. If the motor fuel contains methanol, the types and
13 percentages of associated cosolvents contained in the motor fuel
14 being sold.

15 E. The provisions of this section shall not prohibit the
16 posting of any other alcohol or additive information. Other alcohol
17 or additive information and any relevant posting shall be subject to
18 regulation by the Corporation Commission.

19 F. The Corporation Commission shall promulgate rules as
20 necessary to implement the provisions of this section.

21 SECTION 2. This act shall become effective November 1, 2023.

22 COMMITTEE REPORT BY: COMMITTEE ON ENERGY AND TELECOMMUNICATIONS
23 April 6, 2023 - DO PASS AS AMENDED
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