

By: Rose

H.B. No. 1592

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the labeling requirement for fuel pumps dispensing
3 certain gasoline and ethanol mixtures.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 3(b), Chapter 1033, Acts of the 71st
6 Legislature, Regular Session, 1989 (Article 8614, Vernon's Texas
7 Civil Statutes), is amended to read as follows:

8 (b)(1) The sign required under Subsection (a) of this section
9 must be displayed on each face of the motor fuel pump on which the
10 price of the motor fuel mixture sold from the pump is displayed.
11 The sign must state "Contains up to 10% Ethanol" or "Contains
12 Methanol," as applicable. The sign must appear in contrasting
13 colors with block letters at least one-half inch in height and
14 one-fourth inch in width and shall be displayed in a clear,
15 conspicuous, and prominent manner, visible to customers using
16 either side of the pump.

17 (2) In addition to the requirements of Subsection
18 (b)(1) of this section, if a motor fuel pump is supplied by a
19 storage tank into which motor fuel containing more than 10 percent
20 [~~or more~~] ethanol by volume or five percent or more methanol by
21 volume has been delivered within the 60-day period preceding the
22 day of the sale or offer of sale, the sign shall state the
23 percentage of ethanol or methanol by volume, to the nearest whole
24 percent, of the motor fuel having the highest percentage of ethanol

1 or methanol delivered into that storage tank within the 60-day
2 period. This subsection does not prohibit the posting of other
3 alcohol or additive information, the information and posting being
4 subject to regulations by the commissioner of agriculture.

5 SECTION 2. Section 4(a), Chapter 1033, Acts of the 71st
6 Legislature, Regular Session, 1989 (Article 8614, Vernon's Texas
7 Civil Statutes), is amended to read as follows:

8 (a) A distributor, supplier, wholesaler, or jobber of motor
9 fuel, as those persons are defined by Section 153.001, Tax Code, may
10 not make a delivery of motor fuel containing ethanol or methanol if
11 the ethanol or methanol in the motor fuel mixture exceeds one
12 percent by volume, other than a delivery made into the fuel supply
13 tanks of a motor vehicle, to any outlet in this state unless the
14 person delivers to the outlet receiving the delivery at the time of
15 the delivery of the mixture[+]

16 ~~[(1) the sign described in Section 3 of this Act in~~
17 ~~sufficient quantities for the dealer receiving the motor fuel~~
18 ~~mixture to comply with the requirements of this Act; and~~

19 ~~[(2)]~~ a manifest, bill of sale, bill of lading, or any
20 other document evidencing delivery of the motor fuel containing
21 ethanol or methanol, which shall include a statement showing the
22 percentage of ethanol or methanol contained in the mixture
23 delivered, and the types and percentages of associated cosolvents,
24 if any, contained in the mixture delivered. ~~[The document shall~~
25 ~~also show delivery of the sign or signs, as applicable, required to~~
26 ~~be delivered by this subsection.]~~

27 SECTION 3. This Act takes effect September 1, 2007.