

By: Capriglione

H.B. No. 1696

A BILL TO BE ENTITLED

AN ACT

relating to the sale or delivery of motor fuel.

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

SECTION 1. The heading to Section 17.051, Agriculture Code, is amended to read as follows:

Sec. 17.051. NOTICE OF MOTOR FUEL TAXES AND SALE OF ALCOHOL AND FUEL MIXTURE.

SECTION 2. Section 17.051, Agriculture Code, is amended by amending Subsections (a) and (b) and adding Subsection (a-1) to read as follows:

(a) A dealer may not sell or offer for sale motor fuel from a motor fuel pump unless the dealer prominently displays on the pump a sign that complies with Subsection (b).

(a-1) The dealer shall include on the sign the information required by Subsection (b)(2)(A) if the motor fuel pump is supplied by a storage tank into which motor fuel, in a mixture in which at least one percent of the mixture measured by volume is ethanol or methanol, has been delivered within the 60-day period preceding the date of sale or offer of sale ~~[unless the dealer prominently displays on the pump from which the mixture is sold a sign that complies with Subsection (b)].~~

(b) A sign required by Subsection (a) must:

(1) be displayed on each face of the motor fuel pump on which the price of the motor fuel ~~[mixture]~~ sold from the pump is

1 displayed;

2 (2) state:

3 (A) "Contains Ethanol" or "Contains Methanol,"
4 as applicable;

5 (B) the federal motor fuel tax imposed on the
6 motor fuel; and

7 (C) the state motor fuel tax imposed on the motor
8 fuel;

9 (3) appear in contrasting colors with block letters at
10 least one-half inch high and one-fourth inch wide; and

11 (4) be displayed in a clear, conspicuous, and
12 prominent manner, visible to customers using either side of the
13 pump.

14 SECTION 3. Section 17.153, Agriculture Code, is amended to
15 read as follows:

16 Sec. 17.153. CIVIL PENALTY. (a) A dealer, distributor,
17 supplier, wholesaler, or jobber who violates Section 17.051,
18 17.052, 17.053, 17.054, or 17.055 is liable to this state for a
19 civil penalty of not less than \$200 and not more than \$10,000.

20 (b) The amount of a penalty collected under this section may
21 be appropriated only to the department to administer and enforce
22 this chapter.

23 SECTION 4. This Act takes effect September 1, 2016.