

By: Blanco

S.B. No. 2699

A BILL TO BE ENTITLED

AN ACT

relating to motor fuel measuring, quality, and testing standards.

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

SECTION 1. Section 2310.001(a), Occupations Code, is amended by adding Subdivisions (1-a) and (7-a) to read as follows:

(1-a) "ASTM" means ASTM International, formerly known as the American Society for Testing and Materials.

(7-a) "NIST" means the National Institute of Standards and Technology.

SECTION 2. Section 2310.060(a-1), Occupations Code, is amended to read as follows:

(a-1) In implementing this section, the department or an authorized representative of the department shall:

(1) follow the motor fuel quality testing standards and procedures [adopted by the department] for collecting, sampling, and handling motor fuel prescribed by Section 2310.203;

(2) obtain the approval of the executive director or the executive director's designee before taking any action under this section; and

(3) place a tag or other notice on each motor fuel dispensing device subject to an order issued by the department under this section.

SECTION 3. Section 2310.107, Occupations Code, is amended to read as follows:

1 Sec. 2310.107. TOLERANCES. Specifications and tolerances
2 for motor fuel metering devices shall be the same as those adopted
3 in the most current edition of NIST Handbook 44 [~~recommended by the~~
4 ~~National Institute of Standards and Technology~~].

5 SECTION 4. Subchapter E, Chapter 2310, Occupations Code, is
6 amended by adding Section 2310.2016 to read as follows:

7 Sec. 2310.2016. MOTOR FUEL QUALITY STANDARDS. (a) The
8 minimum quality standards for motor fuel that is sold or offered for
9 sale in this state are the most recently adopted, nationally
10 recognized ASTM petroleum standards, including subsequent
11 amendments and editions.

12 (b) Except as provided in Section 2310.2031, gasoline or
13 gasoline blended with ethanol sold or offered for sale in Texas
14 shall conform with ASTM Designation D4814 for the applicable period
15 and region at all times.

16 SECTION 5. The heading to Section 2310.203, Occupations
17 Code, is amended to read as follows:

18 Sec. 2310.203. [~~TESTING OF~~] MOTOR FUEL QUALITY TESTING
19 STANDARDS AND PROCEDURES.

20 SECTION 6. Section 2310.203(a), Occupations Code, is
21 amended to read as follows:

22 (a) The department or an authorized representative of the
23 department may collect samples and conduct testing at any location
24 where motor fuel is kept, transferred, sold, or offered for sale to
25 verify that the motor fuel complies with the fuel quality [~~minimum~~]
26 standards required by Section 2310.2016 [~~2310.202~~].

27 SECTION 7. Subchapter E. Chapter 2310, Occupations Code, is

1 amended by adding Section 2310.2031 to read as follows:

2 Sec. 2310.2031. EXCEPTIONS TO MOTOR FUEL QUALITY STANDARDS.

3 (a) Gasoline or gasoline blended with ethanol sold or offered for
4 sale during periods when areas on either side of the 99-degree
5 longitude line have different volatility classes, as provided in
6 the ASTM Designation D4814 Schedule of U.S. Seasonal and Geographic
7 Volatility Classes, conforms with this chapter and commission rules
8 if it complies with the volatility class for either area.

9 (b) Gasoline sold or offered for sale that meets or exceeds
10 the Driveability Index prescribed by the ASTM Designation D4814
11 Vapor Pressure and Distillation Class Requirements for vapor
12 pressure/distillation classes AAA, AA, or A conforms with ASTM
13 standards, this chapter, and rules set by the commission.

14 (c) Gasoline blended with up to 15 volume percent ethanol is
15 granted a vapor pressure tolerance waiver of 1.0 pound per square
16 inch except for gasoline blends sold or offered for sale from May 1
17 through October 1 in counties of this state required to comply with
18 low emissions fuels.

19 (d) Seasonal specifications for vapor pressure may be
20 extended for a maximum period of 15 days to allow for the
21 distribution of old stocks. However, new stocks of a higher
22 volatility classification may not be offered for retail sale before
23 the effective date of the higher volatility classification.

24 (e) The vapor-to-liquid ratio specification is waived for
25 gasoline ethanol/blends.

26 SECTION 8. The following provisions of the Occupations Code
27 are repealed:

1 (1) Section 2310.202; and

2 (2) Section 2310.203(c-1).

3 SECTION 9. A violation committed before the effective date
4 of this Act is governed by the law in effect on the date the offense
5 or violation was committed, and the former law is continued in
6 effect for that purpose. For purposes of this section, an offense or
7 violation was committed before the effective date of this Act if any
8 element of the offense or violation was committed before that date.

9 SECTION 10. This Act takes effect immediately if it
10 receives a vote of two-thirds of all the members elected to each
11 house, as provided by Section 39, Article III, Texas Constitution.
12 If this Act does not receive the vote necessary for immediate
13 effect, this Act takes effect September 1, 2025.