

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 59th Legislature (2023)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2839

By: Caldwell (Trey)

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to Oklahoma Petroleum Storage Tank
10 Consolidation Act; amending 17 O.S. 2021, Section
11 347, which relates to ethanol or methanol labeling;
12 requiring motor fuel with certain amount of ethanol
13 be labeled pursuant to federal requirements; and
14 providing an effective date.

15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

18 Section 347. A. No person shall sell or offer for sale motor
19 fuel from a motor fuel dispenser supplied by a storage tank into
20 which motor fuel that contains a mixture of at least one percent
21 (1%) by volume of ethanol or methanol has been delivered within the
22 sixty-day period preceding the date of sale or offer of sale unless
23 the person prominently displays on the dispenser from which the
24

1 mixture is sold a label that complies with subsection B of this
2 section.

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

5 ~~1. Be~~

6 a. be displayed on each face of the motor fuel dispenser
7 on which the price of the motor fuel mixture sold from
8 the dispenser is displayed~~+~~l

9 ~~2. State~~

10 b. state "Contains Ethanol" or "Contains Methanol", as
11 applicable~~+~~l

12 ~~3. Appear~~

13 c. appear in contrasting colors with block letters at
14 least one-half (1/2) inch high and one-fourth (1/4)
15 inch wide~~+~~l and

16 ~~4. Be~~

17 d. be displayed in a clear, conspicuous and prominent
18 manner, visible to customers using either side of the
19 dispenser.

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

1 C. If a motor fuel dispenser is supplied by a storage tank into
2 which motor fuel containing at least ten percent (10%) ethanol by
3 volume or at least five percent (5%) methanol by volume is delivered
4 in the sixty-day period preceding the date of the sale or offer of
5 sale, the sign as required in subsection A of this section shall
6 also state the percentage of ethanol or methanol by volume, to the
7 nearest whole percent, of the motor fuel having the highest
8 percentage of ethanol or methanol delivered into that storage tank
9 during that period.

10 D. On request by a motor fuel user, a person selling or
11 offering for sale motor fuel from a motor fuel dispenser shall
12 reveal:

13 1. The percentage of ethanol contained in the motor fuel being
14 sold;

15 2. The percentage of methanol contained in the motor fuel being
16 sold; and

17 3. If the motor fuel contains methanol, the types and
18 percentages of associated cosolvents contained in the motor fuel
19 being sold.

20 E. The provisions of this section shall not prohibit the
21 posting of any other alcohol or additive information. Other alcohol
22 or additive information and any relevant posting shall be subject to
23 regulation by the Corporation Commission.

24

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

3 SECTION 2. This act shall become effective November 1, 2023.
4

5 COMMITTEE REPORT BY: COMMITTEE ON UTILITIES, dated 03/02/2023 - DO
6 PASS, As Amended.
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24