

2019 Senate Bill 349 (LRB -2170)

An Act to create 168.105 of the statutes; relating to: requirements for devices that dispense gasoline-ethanol fuel blends.

2019

08-14.	S.	Introduced by Senators Feyen, Ringhand, Bewley, Bernier, Cowles, Darling, Marklein, Olsen, Schachtner, Testin and Wirch ; cosponsored by Representatives Steineke, Doyle, Ballweg, Billings, Dittrich, Felzkowski, Kolste, Kulp, Loudenbeck, B. Meyers, Ohnstad, Oldenburg, Sargent, Skowronski, Spiros, Spreitzer, Stubbs, Subeck, Tauchen and Tusler.	332
08-14.	S.	Read first time and referred to Committee on Economic Development, Commerce and Trade	332
08-15.	S.	Representative Born added as a cosponsor	335
08-22.	S.	Representative Plumer added as a cosponsor	342
09-05.	S.	Public hearing held	
09-12.	S.	Executive action taken	
09-12.	S.	Report passage recommended by Committee on Economic Development, Commerce and Trade, Ayes 5, Noes 0	366
09-12.	S.	Available for scheduling	
09-27.	S.	Representative Tranel added as a cosponsor	405
10-04.	S.	Placed on calendar 10-8-2019 pursuant to Senate Rule 18(1)	419
10-04.	S.	Senate Amendment 1 offered by Senator Feyen (LRB a0497)	416
10-08.	S.	Read a second time	429
10-08.	S.	Senate Amendment 1 adopted	429
10-08.	S.	Ordered to a third reading	429
10-08.	S.	Rules suspended	429
10-08.	S.	Read a third time and passed	429
10-08.	S.	Ordered immediately messaged	430
10-08.	A.	Received from Senate	311
10-29.	A.	Representative Wittke added as a cosponsor	343
11-06.	A.	Read first time and referred to committee on Rules	363
11-07.	A.	Placed on calendar 11-12-2019 by Committee on Rules	
11-12.	A.	Read a second time	
11-12.	A.	Ordered to a third reading	
11-12.	A.	Rules suspended	
11-12.	A.	Read a third time and concurred in	
11-12.	A.	Ordered immediately messaged	
11-12.	S.	Received from Assembly concurred in	

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ENROLLED BILL

Adopted Documents

Original

Engrossed

Substitute Amdt

19 2170, 1

Amendments: None or Listed below.

SA1

Corrections: None or Listed by date below.

Topic: Same as relating clause or Indicated below.

11/14/19

Date

Enrolling Drafter



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-2170/1
KP:cdc

2019 SENATE BILL 349

August 14, 2019 - Introduced by Senators FEYEN, RINGHAND, BEWLEY, BERNIER, COWLES, DARLING, MARKLEIN, OLSEN, SCHACHTNER, TESTIN and WIRCH, cosponsored by Representatives STEINEKE, DOYLE, BALLWEG, BILLINGS, DITTRICH, FELZKOWSKI, KOLSTE, KULP, LOUDENBECK, B. MEYERS, OHNSTAD, OLDENBURG, SARGENT, SKOWRONSKI, SPIROS, SPREITZER, STUBBS, SUBECK, TAUCHEN and TUSLER. Referred to Committee on Economic Development, Commerce and Trade.

1 **AN ACT** *to create* 168.105 of the statutes; **relating to:** requirements for devices
2 that dispense gasoline-ethanol fuel blends.

Analysis by the Legislative Reference Bureau

This bill allows gas pumps to dispense through the same fueling nozzle and hose gasoline-ethanol fuel blends containing greater than 10 percent and not more than 15 percent ethanol (E15), gasoline containing no ethanol, and gasoline-ethanol fuel blends containing not more than 10 percent ethanol if, among other things, there is at least one other gas pump at the retail station that has a fueling nozzle and hose that dispense only gasoline-ethanol fuel blends containing no more than 10 percent ethanol, or if the gas pump requires a minimum purchase of 4 gallons.

Under current law, the Department of Agriculture, Trade and Consumer Protection has the authority to promulgate rules to administer and enforce minimum product grade specifications for motor fuels. Using this authority, DATCP has promulgated a rule requiring gas pumps installed after February 1, 2009 to dispense ethanol-blended motor fuels containing more than 10 percent ethanol and ethanol-blended motor fuels containing less than 10 percent ethanol through separate fueling nozzles and hoses.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 168.105 of the statutes is created to read:

SENATE BILL 349

SECTION 1

1 **168.105 Dispensing gasoline-ethanol fuel blends.** A dispensing device at
 2 a retail station may be used to dispense through the same fueling nozzle and hose
 3 gasoline-ethanol fuel blends containing greater than 10 percent and not more than
 4 15 percent ethanol by volume, gasoline containing no ethanol, and gasoline-ethanol
 5 fuel blends containing not more than 10 percent ethanol by volume if any of the
 6 following applies:

7 (1) All of the following apply:

8 (a) The retail station provides a device having at least one fueling nozzle and
 9 hose that dispenses only gasoline-ethanol fuel blends containing no more than 10
 10 percent ethanol by volume.

satisfying the requirements under s. 168.11 (1)(b)3.

11 (b) A label is prominently affixed to the dispensing device stating, "Passenger
 12 Vehicles Only. Use in Other Vehicles, Engines and Equipment May Violate Federal
 13 Law."

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14 (c) The retail station displays signs informing customers of the availability and
 15 location of the device required under par. (a).

16 (2) The device requires a minimum purchase of 4 gallons.

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(END)

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State of Wisconsin
2019 - 2020 LEGISLATURE

LRBa0497/1
KP:kjf

**SENATE AMENDMENT 1,
TO SENATE BILL 349**

October 4, 2019 - Offered by Senator FEYEN.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 11: after "label" insert "satisfying the requirements under s.
3 168.11 (1) (b) 3."

4 **2.** Page 2, line 16: delete that line and substitute:

5 "(2) A label satisfying the requirements under s. 168.11 (1) (b) 3. is prominently
6 affixed to the dispensing device that states that a minimum purchase of 4 gallons is
7 required."

8 (END)

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