

State of Misconsin 2003 - 2004 LEGISLATURE

2003 ASSEMBLY BILL 675

November 17, 2003 – Introduced by Representatives Hahn, Ott, Petrowski, Freese, Ainsworth, Balow, Gronemus, Stone, J. Wood, Suder, Hines, Owens, Albers, Powers, McCormick, Ward, Van Roy, Steinbrink and Musser, cosponsored by Senators Schultz, Brown and A. Lasee. Referred to Committee on Agriculture.

1 AN ACT to repeal 168.11 (1) (b) 1.; to consolidate, renumber and amend 2 168.11 (1) (b) 2. and 3.; and to amend 168.14 (2) of the statutes; relating to: 3 labeling of gasoline-ethanol fuel blends sold at retail.

Analysis by the Legislative Reference Bureau

Current law requires any device that dispenses, for sale at retail, a reformulated gasoline that contains an oxygenate other than ethanol to be labeled with the identity of the oxygenate. In addition, current law requires any device that dispenses a gasoline-ethanol fuel blend for sale at retail to be labeled with the percentage of ethanol. This bill repeals the requirement that such a device be labeled with the percentage of ethanol, unless the device dispenses reformulated gasoline at an airport for use as aircraft fuel.

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

- 4 SECTION 1. 168.11 (1) (b) 1. of the statutes is repealed.
- 5 SECTION 2. 168.11 (1) (b) 2. and 3. of the statutes are consolidated, renumbered
- 6 168.11 (1) (b) and amended to read:

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| 1 | 168.11 (1) (b) -A Except as otherwise provided in this paragraph, a device that |
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| 2 | dispenses, for sale at retail, a reformulated gasoline, as defined in s. 285.37 (1), that |
| 3 | contains an oxygenate other than ethanol shall be marked or labeled with the |
| 4 | identity of the oxygenate at all times when the product is offered for sale. The label |
| 5 | shall identify the oxygenate or oxygenates in the manner specified by the |
| 6 | department by rule3. <u>A device that dispenses a reformulated gasoline that contains</u> |
| 7 | ethanol need not be labeled as provided in this paragraph, unless the device |
| 8 | dispenses the reformulated gasoline at an airport for use as aircraft fuel. A label |
| 9 | under this paragraph shall be on the front or side of the upper half of the dispensing |
| 10 | device and shall be conspicuous and legible to a customer when viewed from the |
| 11 | driver's seat of a motor vehicle that is located within 6 feet of the dispensing device. |
| 12 | The device may also be marked or labeled with any product grade specifications |
| 13 | prescribed under s. 168.04. <u>A label for a device that dispenses a reformulated</u> |
| 14 | gasoline that contains ethanol at an airport for use as aircraft fuel shall indicate the |
| 15 | percent of ethanol in the gasoline. |
| 16 | SECTION 3. 168.14 (2) of the statutes is amended to read: |
| 17 | 168.14 (2) No person may receive, unload, use, sell or offer for sale in this state, |
| 18 | any gasoline, gasoline-alcohol fuel blends, kerosene, fuel oils, diesel fuels or other |
| 19 | petroleum distillates which the person knows, or reasonably should know, is |
| 20 | misidentified as to name or grade. Gasoline-ethanol blends that are identified in |
| 21 | compliance with s. 168.11 when sold at retail are correctly identified as to name. |

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(END)