LRB-3921/1 KP:cdc

2019 ASSEMBLY BILL 382

August 28, 2019 - Introduced by Representatives Steineke, Doyle, Ballweg, Billings, Dittrich, Felzkowski, Kolste, Kulp, Loudenbeck, B. Meyers, Ohnstad, Oldenburg, Sargent, Skowronski, Spiros, Spreitzer, Stubbs, Subeck, Tauchen, Tusler and Born, cosponsored by Senators Feyen, Ringhand, Bewley, Bernier, Cowles, Darling, Marklein, Olsen, Schachtner, Testin and Wirch. Referred to Committee on Regulatory Licensing Reform.

- 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:

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168.105 Dispensing gasoline-ethanol fuel blends. A dispensing device at
a retail station may be used 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 by volume, gasoline containing no ethanol, and gasoline-ethanol
fuel blends containing not more than 10 percent ethanol by volume if any of the
following applies:

- (1) All of the following apply:
- (a) The retail station provides a device having at least one fueling nozzle and hose that dispenses only gasoline-ethanol fuel blends containing no more than 10 percent ethanol by volume.
- (b) A label is prominently affixed to the dispensing device stating, "Passenger Vehicles Only. Use in Other Vehicles, Engines and Equipment May Violate Federal Law."
- (c) The retail station displays signs informing customers of the availability and location of the device required under par. (a).
 - (2) The device requires a minimum purchase of 4 gallons.

17 (END)