

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 567
Commerce, Small Business and Entrepreneurship Committee Substitute Adopted
3/21/07
House Committee Substitute Favorable 4/17/07
House Committee Substitute #2 Favorable 5/24/07

Short Title: Facilitate Distribution of E-Blend Fuel. (Public)

Sponsors:

Referred to:

March 7, 2007

A BILL TO BE ENTITLED

AN ACT TO FACILITATE THE DISTRIBUTION OF E-BLEND FUELS.

The General Assembly of North Carolina enacts:

SECTION 1. Article 9 of Chapter 143 of the General Statutes is amended by adding a new section to read:

"§ 143-143.6. Distribution of fuels that are a blend of petroleum and ethanol.

(a) As used in this section:

(1) "E-10 fuel" means a blend of petroleum and ethanol that includes no more than ten percent (10%) ethanol by volume intended for use as a motor vehicle fuel.

(2) "E-blend fuel" means a blend of petroleum and ethanol that includes more than 10 percent (10%) and no more than eighty-five percent (85%) ethanol by volume intended for use as a motor vehicle fuel.

(3) "Listed" means equipment or materials that have been tested or evaluated by a nationally recognized testing laboratory, inspection agency, or other organization that periodically tests or evaluates equipment or materials for compliance with nationally recognized safety standards and that have been found to be free from reasonably foreseeable risks of fire, electric shock, and related hazards and to be suitable for use in a specified manner.

(b) E-blend fuel may be dispensed from equipment that fully complies with all requirements for use in dispensing gasoline or E-10 fuel if all of the following requirements are met by the entity dispensing the fuel:

(1) The manufacturer of the dispensing equipment has provided a written statement that the dispensing equipment is, in the opinion of the manufacturer, compatible with E-blend fuel and does not present a

1 distinct hazard to the public. The written statement shall reference a
2 particular type and model of equipment and shall be signed by a
3 responsible official on behalf of the manufacturer. The written
4 statement shall be retained in the files of the retail outlet or other entity
5 dispensing the fuel and shall be made available to the Office of State
6 Fire Marshal, upon request.

7 (2) The dispensing equipment fully complies with the requirements
8 established by State law for dispensing E-10 fuel.

9 (3) The manufacturer has initiated the process of applying to an
10 independent testing laboratory to have the equipment listed for use in
11 dispensing E-blend fuel.

12 (4) The dispensing equipment clearly discloses that E-blend fuel is being
13 dispensed and states the percentage of ethanol in the E-blend fuel."

14 **SECTION 2.** This act is effective when it becomes law and expires 1 July

15 2009.