An Act

ENROLLED SENATE
BILL NO. 255

By: Rader of the Senate

and

Caldwell (Trey) and Boles
of the House

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

SUBJECT: Oklahoma Petroleum Storage Tank Consolidation Act

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

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

Section 347. A. No person shall sell or offer for sale motor fuel from a motor fuel dispenser supplied by a storage tank into which motor fuel that contains a mixture of at least one percent (1%) by volume of ethanol or methanol has been delivered within the sixty-day period preceding the date of sale or offer of sale unless the person prominently displays on the dispenser from which the mixture is sold a label that complies with subsection B of this section.

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

~~1. Be~~ a. be displayed on each face of the motor fuel dispenser on which the price of the motor fuel mixture sold from the dispenser is displayed~~;~~,

~~2. State~~ b. state "Contains Ethanol" or "Contains Methanol", as applicable~~;~~,

~~3. Appear~~ c. appear in contrasting colors with block letters at least one-half (1/2) inch high and one-fourth (1/4) inch wide~~;~~, and

~~4. Be~~ d. be displayed in a clear, conspicuous and prominent manner, visible to customers using either side of the dispenser.

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

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

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

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

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

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

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

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

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

Passed the Senate the 2nd day of March, 2023.

Presiding Officer of the Senate

Passed the House of Representatives the 18th day of April, 2023.

Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 19th day of April, 20 23, at 3:22 o'clock p. M.

By: James Curry

Approved by the Governor of the State of Oklahoma this 20th day of April, 20 23, at 2:38 o'clock p. M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 20th day of April, 20 23, at 2:47 o'clock P M.

By: Brian Bingman