

HOUSE BILL No. 4578

April 17, 2001, Introduced by Reps. Julian, Raczkowski, Gilbert, Pumford, Jelinek, Meyer, Lipsey, Neumann, Ehardt and Jansen and referred to the Committee on Transportation.

A bill to amend 1984 PA 44, entitled
"Motor fuels quality act,"
by amending section 3 (MCL 290.643), as amended by 2000 PA 206.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) The director shall establish standards pursuant
2 to this act to ensure the purity and quality of gasoline sold or
3 offered for sale in this state.

4 (2) The director shall establish standards for the amount
5 and type of additives allowed to be included in gasoline.
6 BEGINNING JULY 1, 2002, THE STANDARDS SHALL INCLUDE THE REQUIRE-
7 MENT FOR A 10% OXYGENATE BLEND FOR ALL GASOLINE IN THIS STATE.

8 (3) The director shall establish standards for the grading
9 of gasoline, including, but not limited to, leaded subregular
10 with a minimum 87 AKI, leaded regular with a minimum 89 AKI,
11 leaded premium with a minimum 93 AKI, unleaded subregular with a

1 minimum 85 AKI, unleaded regular with a minimum 87 AKI and a
2 minimum 82 MON, unleaded midgrade 88 with a minimum 88 AKI and
3 minimum 82 MON, unleaded midgrade 89 with a minimum 89 AKI and a
4 minimum 83 MON, unleaded premium with a minimum 90 AKI, and
5 grades for alcohol fuels. Leaded gasoline with a 94 AKI or more,
6 and unleaded gasoline with a 91 AKI or more, may be offered for
7 sale labeled with the minimum AKI number if the gasoline has been
8 listed with and approved by the department. The leaded gasoline
9 with 94 AKI or more shall be labeled as leaded premium followed
10 by the approved AKI number, and the unleaded gasoline with 91 AKI
11 or more shall be labeled unleaded premium followed by the
12 approved AKI number.

13 (4) The director shall establish standards for Reid vapor
14 pressure as specified by the American society for testing and
15 materials, except as otherwise required to conform to federal or
16 state law. The director shall establish the Reid vapor pressure
17 as 9.0 pounds per square inch (psi) for retail outlets during the
18 period beginning June 1 through September 15 of each year, except
19 for dispensing facilities where the director shall establish the
20 Reid vapor pressure as 7.8 psi in the year 1996 and thereafter.
21 As used in this subsection and section 10d, "Reid vapor pressure"
22 means the vapor pressure of gasoline or gasoline oxygenate blend
23 as determined by ASTM test method D323, standard test method for
24 vapor pressure of petroleum products (Reid method) or test method
25 D4953, standard test method for vapor pressure of gasoline and
26 gasoline oxygenate blends (dry method).

1 (5) In establishing additive and grading standards the
2 director shall adopt the latest standards for gasoline
3 established by the American society for testing and materials and
4 shall adopt the latest standards for gasoline established by fed-
5 eral law or regulation. The standards established by the direc-
6 tor shall not prohibit a gasoline blend that is permitted by a
7 valid waiver granted by the United States environmental protec-
8 tion agency pursuant to the fuel or fuel additive waiver in sec-
9 tion 211(f)(4) of part A of title II of the clean air act, chap-
10 ter 360, 81 Stat. 502, 42 U.S.C. 7545, and the ethanol waiver of
11 1.0 POUND psi in section 211(h)(4) of part A of title II of the
12 clean air act, chapter 360, 81 Stat. 502, 42 U.S.C. 7545, if the
13 gasoline blend meets all of the conditions set forth in the
14 waiver. Beginning June 1, 2003, the director shall not permit
15 the use of the additive methyl tertiary butyl ether (MTBE) in
16 this state. The director, in consultation with the department of
17 environmental quality, shall determine if the additive is likely
18 to cause harmful effects on the environment or public health
19 within the state. By June 1, 2002, the director, in consultation
20 with the director of the department of environmental quality,
21 shall review the status of the use of MTBE in this state. The
22 review shall include the following:

23 (a) The amount of the additive methyl tertiary butyl ether
24 (MTBE) currently in use in gasoline in this state.

25 (b) An estimate of the amount of MTBE that is imported in
26 gasoline transported into this state from other states or
27 countries.

1 (c) Recommendations as to whether the June 1, 2003
2 prohibition can be achieved and, if not, determine a more feasi-
3 ble date.

4 (d) Any other information considered appropriate.

5 (6) Standards established pursuant to this section shall be
6 by rules promulgated pursuant to the administrative procedures
7 act of 1969, 1969 PA 306, MCL 24.201 to 24.328.