

HOUSE BILL No. 4608

April 18, 2007, Introduced by Reps. Sheltroun, Mayes, Spade, Lindberg, McDowell, Lahti, Meadows, Byrnes, Farrah, Miller, Lemmons, Sak, Valentine, Meisner, Ebli, Leland, Espinoza, Warren, Angerer, Hopgood, Coulouris, Alma Smith, Hammon, Condino, Dean, Gaffney and Cheeks and referred to the Committee on Agriculture.

A bill to amend 1984 PA 44, entitled
"Motor fuels quality act,"
by amending section 3 (MCL 290.643), as amended by 2006 PA 271.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

4 (2) The director shall establish standards for the amount and
5 type of additives allowed to be included in gasoline and diesel
6 fuel.

7 (3) The director shall establish standards for the grading of
8 gasoline, including, but not limited to, subregular with a minimum
9 85 AKI, regular with a minimum 87 AKI and a minimum 82 MON,

1 midgrade 88 with a minimum 88 AKI and a minimum 82 MON, midgrade 89
2 with a minimum 89 AKI and a minimum 83 MON, premium with a minimum
3 90 AKI, premium 91 with a minimum 91 AKI, premium 92 with a minimum
4 92 AKI, premium 93 with a minimum 93 AKI, and premium 94 with a
5 minimum 94 AKI.

6 (4) The director shall establish standards for vapor pressure
7 as specified by the American society for testing and materials,
8 except as otherwise required to conform to federal or state law.
9 Notwithstanding anything to the contrary in section 10d, the
10 director shall establish the vapor pressure as 9.0 pounds per
11 square inch (psi) for retail outlets during the period beginning
12 June 1 through September 15 of each year, except for dispensing
13 facilities in counties where the director establishes the vapor
14 pressure as 7.0 psi or 7.8 psi in the year 2007 and thereafter. As
15 used in this act, "vapor pressure" means the vapor pressure of
16 gasoline or gasoline oxygenate blend as determined by ASTM test
17 method D6378 or D5191 or an ASTM method approved by the department.

18 (5) In establishing additive and grading standards the
19 director shall adopt the latest standards for gasoline established
20 by the American society for testing and materials and shall adopt
21 the latest standards for gasoline established by federal law or
22 regulation. The standards established by the director shall not
23 prohibit a gasoline blend that is permitted by a valid waiver
24 granted by the United States environmental protection agency
25 pursuant to the fuel or fuel additive waiver in section 211(f)(4)
26 of part A of title II of the clean air act, chapter 360, 81 Stat.
27 502, 42 USC 7545, and the ethanol waiver of 1.0 psi in section

1 211(h) (4) of part A of title II of the clean air act, chapter 360,
2 81 Stat. 502, 42 USC 7545, if the gasoline blend meets all of the
3 conditions set forth in the waiver. Beginning June 1, 2003, the
4 director shall not permit the use of the additive methyl tertiary
5 butyl ether (MTBE) in this state.

6 (6) The director shall establish standards pursuant to this
7 act to ensure the purity and quality of diesel fuel sold or offered
8 for sale in this state.

9 (7) Any firm offering hydrogen fuel for sale in this state
10 shall first register with and obtain approval from the department.
11 Registration shall include a complete list of the fuel
12 specifications the product is to meet and the sites where the
13 product is offered for sale to the general public.

14 (8) THE DIRECTOR SHALL ESTABLISH STANDARDS PURSUANT TO THIS
15 ACT TO ENSURE THE PURITY AND QUALITY OF DIESEL FUEL SOLD OR OFFERED
16 FOR SALE IN THIS STATE. BEGINNING JUNE 30, 2008, THE DIRECTOR SHALL
17 DETERMINE THE ANNUAL CAPACITY FOR THE PRODUCTION OF BIODIESEL FUEL
18 IN THIS STATE AND, WITHIN 30 DAYS OF MAKING THE DETERMINATION,
19 SHALL PUBLISH THE ANNUAL CAPACITY FOR THE PRODUCTION OF BIODIESEL
20 FUEL IN THIS STATE. BEGINNING DECEMBER 31, 2008, WITHIN 30 DAYS OF
21 THE PUBLICATION THAT THE ANNUAL CAPACITY FOR THE PRODUCTION OF
22 BIODIESEL FUEL IN THIS STATE IS GREATER THAN 12,000,000 GALLONS,
23 STANDARDS FOR DIESEL FUEL SOLD OR OFFERED FOR SALE IN THIS STATE
24 SHALL INCLUDE A REQUIREMENT THAT THE COMPOSITION OF DIESEL FUEL
25 SOLD IN THIS STATE INCLUDE AT LEAST 5% BIODIESEL. THIS MINIMUM
26 CONTENT REQUIREMENT DOES NOT APPLY TO DIESEL FUEL SOLD FOR USE IN
27 RAILROAD LOCOMOTIVES OR TO DIESEL FUEL SOLD FOR USE IN OFF-ROAD

1 **TACONITE AND COPPER MINING EQUIPMENT AND MACHINERY.**

2 (9) ~~(8)~~—Standards established pursuant to this section shall
3 be by rules promulgated pursuant to the administrative procedures
4 act of 1969, 1969 PA 306, MCL 24.201 to 24.328.