

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 29

Session of
1987

INTRODUCED BY BELL, JANUARY 15, 1987

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
JANUARY 15, 1987

AN ACT

1 Requiring retail gasoline dealers to post gasoline additive
2 information; and imposing penalties.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Definitions.

6 The following words and phrases when used in this act shall
7 have the meanings given to them in this section unless the
8 context clearly indicates otherwise:

9 "Co-solvent." An alcohol or any other chemical with higher
10 molecular weight than methanol or ethanol which is blended with
11 either or both to prevent phase separation in gasoline.

12 "Ethanol." Ethyl alcohol, a flammable liquid having the
13 formula $C_2H_5CH_3$, used or sold for the purpose of blending or
14 mixing with gasoline for use in motor vehicles, boats,
15 motorboats or watercraft, and commonly or commercially known or
16 sold as ethanol or ethyl alcohol.

17 "Gasoline." Any liquid prepared, advertised, offered for

1 sale, sold for use as, or used for the generation of power for
2 the propulsion of motor vehicles, boats, motorboats or
3 watercraft, including any product obtained by blending together
4 any one or more products of petroleum with or without other
5 products, if the resultant product is capable of the same use.

6 "Gasoline additives." Methanol, ethanol or co-solvent in
7 concentrations above 1% by volume.

8 "Manufacturer." A person, firm or corporation maintaining a
9 place of business where gasoline is manufactured, refined or
10 blended.

11 "Methanol." Methyl alcohol, a flammable liquid having the
12 formula CH_3OH , used or sold for the purpose of blending or
13 mixing with gasoline for use in motor vehicles, boats,
14 motorboats or watercraft, and commonly or commercially known or
15 sold as methanol or methyl alcohol.

16 "Retail service station dealer." A person, firm or
17 corporation maintaining a place of business where gasoline is
18 sold and delivered into the tanks of motor vehicles, boats,
19 motorboats or watercraft.

20 Section 2. Posting of gasoline additive information.

21 (a) Requirement.--All retail service station dealers shall
22 conspicuously post on each pump from which gasoline containing
23 gasoline additives is dispensed a sign clearly indicating that
24 the gasoline contains gasoline additives, the type or types of
25 gasoline additives contained in the gasoline and the maximum
26 percentage by volume, to the nearest whole percent, of each
27 gasoline additive.

28 (b) Size of sign.--The information required by subsection
29 (a) shall be conveyed in bold block lettering at least one-
30 quarter inch in size.

1 (c) Visibility.--If a pump is used to dispense gasoline on
2 more than one driveway, the sign required by subsection (a)
3 shall be placed on both sides of the pump so that a sign shall
4 be clearly visible from each driveway.

5 Section 3. Notification by manufacturers of gasoline additive
6 information.

7 (a) Duty of manufacturers.--

8 (1) Manufacturers of gasoline which contains gasoline
9 additives shall notify gasoline purchasers, in writing, as to
10 the presence of the additives. This requirement shall
11 continue for each seller until the product is resold to the
12 public.

13 (2) The manufacturers also shall provide anyone who
14 purchases the gasoline for resale to the public or to retail
15 service station dealers with pump signs meeting the following
16 criteria:

17 (i) The pump sign shall indicate that the gasoline
18 dispensed from that pump contains gasoline additives and
19 shall set forth the maximum percentage by volume, to the
20 nearest whole percent, of each gasoline additive.

21 (ii) This information shall be set forth in block
22 lettering which is at least one-quarter inch in size.

23 (3) When providing pump signs to purchasers of its
24 gasoline who intend to resell the gasoline to the public or
25 to retail service station dealers, the manufacturer shall
26 provide an adequate number of the signs for the purchaser or
27 retail service stations to whom the purchaser sells, to meet
28 the requirements of this act.

29 Section 4. Federal requirements.

30 It shall be unlawful to sell or offer for sale any gasoline

1 additives where the blend or mixture is in violation of the
2 specifications or the registration requirements established by
3 the United States Environmental Protection Agency pursuant to
4 section 211 of the Clean Air Act (Public Law 95-95, 42 U.S.C. §
5 7545).

6 Section 5. Penalties.

7 Any retail service station dealer who fails to comply with
8 the provisions of this act after being notified by the
9 manufacturer under section 3, and a manufacturer who fails to
10 comply with the provisions of this act, commits a summary
11 offense and shall, upon conviction, for the first offense, be
12 sentenced to pay a fine not exceeding \$100 and, for a second and
13 each subsequent offense, be sentenced to pay a fine not
14 exceeding \$200.

15 Section 6. Effective date.

16 This act shall take effect in 60 days.