

HOUSE AMENDMENTS TO A-ENGROSSED SENATE BILL 1079

By COMMITTEE ON TRANSPORTATION

February 20

1 On page 1 of the printed A-engrossed bill, line 2, after “fuel;” insert “creating new provisions;”
2 and before the period insert “; and declaring an emergency”.

3 In line 23, after the second “customer” delete the rest of the line and delete line 24 and insert
4 “making a purchase at a nonretail facility owned by the cardlock card issuer.”.

5 In line 25, after the second “customer” delete the rest of the line and insert “making a purchase
6 at a nonretail facility owned by a seller other than the cardlock card issuer.”.

7 On page 2, delete line 1.

8 In line 32, after “unless” insert “one of the following situations applies”.

9 In line 34, delete the semicolon and insert a period.

10 In line 39, delete “; or” and insert a period.

11 In line 40, after the first “of” insert “the”.

12 In line 42, delete “cardlock card issuer” and insert “person making the purchase”.

13 In line 43, delete “department” and insert “seller”.

14 On page 3, line 6, delete “issuer’s names” and insert “issuers”.

15 In line 7, delete “issuer’s” and insert “issuers”.

16 Delete lines 26 through 45 and delete page 4 and insert:

17 “**SECTION 4.** ORS 646.913 is amended to read:

18 “646.913. (1) **Except as provided in subsection (5) of this section,** a retail dealer, nonretail
19 dealer or wholesale dealer may not sell or offer for sale gasoline unless the gasoline contains 10
20 percent ethanol by volume.

21 “(2) Gasoline containing ethanol that is sold or offered for sale meets the requirements of this
22 section if the gasoline, exclusive of denaturants and permitted contaminants, contains not less than
23 9.2 percent by volume of agriculturally derived, denatured ethanol that complies with the standards
24 for ethanol adopted by the State Department of Agriculture.

25 “(3) The department shall adopt standards for ethanol blended with gasoline sold in this state.
26 The standards adopted shall require that the gasoline blended with ethanol:

27 “(a) Contains ethanol that is derived from agricultural or woody waste or residue;

28 “(b) Contains ethanol denatured as specified in 27 C.F.R. parts 20 and 21;

29 “(c) Complies with the volatility requirements specified in 40 C.F.R. part 80;

30 “(d) Complies with or is produced from a gasoline base stock that complies with ASTM Inter-
31 national specification D 4814;

32 “(e) Is not blended with casinghead gasoline, absorption gasoline, drip gasoline or natural gas-
33 oline after it has been sold, transferred or otherwise removed from a refinery or terminal; and

34 “(f) Contains ethanol that complies with ASTM International specification D 4806.

35 “(4) The department may review specifications adopted by ASTM International, or equivalent

1 organizations, and federal regulations and revise the standards adopted pursuant to this section as
2 necessary.

3 **“(5) A retail dealer, nonretail dealer or wholesale dealer may sell or offer for sale gasoline
4 that is not blended with ethanol if the gasoline is for use in:**

5 **“(a) An aircraft:**

6 **“(A) With a supplemental type certificate approved by the Federal Aviation Adminis-
7 tration that allows the aircraft to use gasoline that is intended for use in motor vehicles;
8 or**

9 **“(B) Issued a type certificate by an aircraft engine manufacturer that allows the aircraft
10 to use gasoline that is intended for use in motor vehicles;**

11 **“(b) An aircraft that has been issued an experimental certificate, described in 14 C.F.R.
12 21.191, by the Federal Aviation Administration and that is required by the manufacturer’s
13 specifications to use gasoline that is intended for use in motor vehicles;**

14 **“(c) A light-sport aircraft, as defined in 14 C.F.R. 1.1, that is required by the manufac-
15 turer’s specifications to use gasoline that is intended for use in motor vehicles;**

16 **“(d) A vintage aircraft, as defined by the Oregon Department of Aviation by rule, that
17 is required by the manufacturer’s specifications to use gasoline that is intended for use in
18 motor vehicles;**

19 **“(e) An antique vehicle, as defined in ORS 801.125;**

20 **“(f) A Class I all-terrain vehicle, as defined in ORS 801.190;**

21 **“(g) A Class III all-terrain vehicle, as defined in ORS 801.194;**

22 **“(h) A racing activity vehicle, as defined in ORS 801.404;**

23 **“(i) A snowmobile, as defined in ORS 801.490;**

24 **“(j) Tools, including but not limited to lawn mowers, leaf blowers and chain saws; or**

25 **“(k) A watercraft.**

26 **“SECTION 5. The amendments to ORS 319.520, 319.550 and 319.665 by sections 1 to 3 of
27 this 2008 Act become operative on January 1, 2009.**

28 **“SECTION 6. This 2008 Act being necessary for the immediate preservation of the public
29 peace, health and safety, an emergency is declared to exist, and this 2008 Act takes effect
30 on its passage.”.**

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