

No. 1987-24

## AN ACT

SB 29

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

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

**Section 1. Definitions.**

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

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

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

“Gasoline.” Any liquid prepared, advertised, offered for sale, sold for use as or used for the generation of power for the propulsion of motor vehicles, boats, motorboats or watercraft, including any product obtained by blending together any one or more products of petroleum with or without other products, if the resultant product is capable of the same use.

“Gasoline additives.” Methanol, ethanol or co-solvent in concentrations above 1% by volume.

“Manufacturer.” A person, firm or corporation maintaining a place of business where gasoline is manufactured, refined or blended.

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

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

**Section 2. Posting of gasoline additive information.**

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

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

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

**Section 3. Notification by manufacturers of gasoline additive information.**

(a) **General rule.**—Manufacturers of gasoline which contains gasoline additives shall notify gasoline purchasers, in writing, as to the presence of the additives. This requirement shall continue for each seller until the product is resold to the public.

(b) **Pump signs.**—

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

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

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

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

**Section 4. Federal requirements.**

It shall be unlawful to sell or offer for sale any gasoline additives where the blend or mixture is in violation of the specifications or the registration requirements established by the United States Environmental Protection Agency pursuant to section 211 of the Clean Air Act (Public Law 95-95, 42 U.S.C. § 7545).

**Section 5. Penalties.**

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

**Section 6. Effective date.**

This act shall take effect in 45 days.

APPROVED—The 1st day of July, A. D. 1987.

ROBERT P. CASEY