

Senator Klein from the Committee on Commerce and Consumer Protection, to which was referred

S.F. No. 4163: A bill for an act relating to commerce; adding an exemption for bulk delivery of certain volumes of nonoxygenated, unleaded premium grade gasoline; amending Minnesota Statutes 2022, section 239.791, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 2023 Supplement, section 239.791, subdivision 8, is amended to read:

Subd. 8. **Disclosure; reporting.** (a) A refinery or terminal, shall provide, at the time gasoline is sold or transferred from the refinery or terminal, a bill of lading or shipping manifest to the person who receives the gasoline. For oxygenated gasoline, the bill of lading or shipping manifest must include the identity and the volume percentage or gallons of oxygenate included in the gasoline, and it must state: "This fuel contains an oxygenate. Do not blend this fuel with ethanol or with any other oxygenate." For nonoxygenated gasoline, the bill or manifest must state: "This fuel is not oxygenated. It must not be sold at retail in Minnesota." This subdivision does not apply to sales or transfers of gasoline between refineries, between terminals, or between a refinery and a terminal.

(b) A delivery ticket required under section 239.092 for biofuel blended with gasoline must state the volume percentage of biofuel blended into gasoline delivered through a meter into a storage tank used for dispensing by persons not exempt under subdivisions 10 to 14 ~~and~~, 16, and 17.

(c) On or before the 23rd day of each month, a person responsible for the product must report to the department, in the form prescribed by the commissioner, the gross number of gallons of intermediate blends sold at retail by the person during the preceding calendar month. The report must identify the number of gallons by blend type. For purposes of this subdivision, "intermediate blends" means blends of gasoline and biofuel in which the biofuel content, exclusive of denaturants and other permitted components, is greater than ten percent and no more than 50 percent by volume. This paragraph only applies to a person who is responsible for selling intermediate blends at retail at more than ten locations. A person responsible for the product at fewer than ten locations is not precluded from reporting the gross number of intermediate blends if a report is available.

(d) All reports provided pursuant to paragraph (c) are nonpublic data, as defined in section 13.02, subdivision 9."

2.1 Page 1, line 11, delete everything after "the" and insert "conditions in paragraphs (b) to
2.2 (d) are met."

2.3 Page 1, line 12, delete everything after "in" and insert "vehicles that would qualify for
2.4 an exemption under subdivision 12, paragraph (a)"

2.5 Page 1, delete line 13

2.6 Page 1, line 14, delete "engine"

2.7 Page 1, after line 14, insert:

2.8 "(c) No more than one bulk fuel storage tank on the premises may be used for storage
2.9 of the nonoxygenated gasoline.

2.10 (d) The bulk fuel delivery is 500 gallons or less."

2.11 Renumber the sections in sequence

2.12 Amend the title numbers accordingly

2.13 And when so amended the bill do pass. Amendments adopted. Report adopted.

2.14 .....
2.15 (Committee Chair)

2.16 March 12, 2024.....
2.17 (Date of Committee recommendation)