

FIRST REGULAR SESSION

# HOUSE BILL NO. 818

## 101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DAVIS.

1685H.011

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To repeal section 414.032, RSMo, and to enact in lieu thereof one new section relating to biodiesel fuel percentage requirements.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 414.032, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 414.032, to read as follows:

414.032. 1. All kerosene, diesel fuel, heating oil, aviation turbine fuel, gasoline, gasoline-alcohol blends and other motor fuels shall meet the requirements in the annual book of ASTM standards and supplements thereto. The director may promulgate rules and regulations on the labeling, standards for, and identity of motor fuels and heating oils.

2. The director may inspect gasoline, gasoline-alcohol blends or other motor fuels to insure that these fuels conform to advertised grade and octane. In no event shall the penalty for a first violation of this section exceed a written reprimand.

3. **Except as provided in subsection 5 of this section**, the director may waive specific requirements in this section and in regulations promulgated according to this section, or may establish temporary alternative requirements for fuels as determined to be necessary in the event of an extreme and unusual fuel supply circumstance as a result of a petroleum pipeline or petroleum refinery equipment failure, emergency, or a natural disaster as determined by the director for a specified period of time. If any action is taken by the director under this section, the director shall:

- (1) Advise the U.S. Environmental Protection Agency of such action;
- (2) Review the action after thirty days; and
- (3) Notify industry stakeholders of such action.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18           4. Any waiver issued or action taken under subsection 3 of this section shall be as limited  
19 in scope and applicability as necessary, and shall apply equally and uniformly to all persons and  
20 companies in the impacted petroleum motor fuel supply and distribution system, including but  
21 not limited to petroleum producers, terminals, distributors, and retailers.

22           **5. (1) As used in this section, "biodiesel fuel" means a renewable, biodegradable,**  
23 **mono alkyl ester combustible liquid fuel that is derived from agricultural and other plant**  
24 **oils or animal fats and that meets the ASTM International specification D6751-20a, or the**  
25 **most recent specification, for Biodiesel Fuel Blend Stock (B100) for Middle Distillate Fuels.**

26           **(2) Beginning on August 28, 2021, no state department or political subdivision of**  
27 **the state shall promulgate, implement, or enforce any rule or policy requiring diesel fuel**  
28 **sold or offered for sale in this state for use in internal combustion engines to contain any**  
29 **percentage of biodiesel fuel. Any such rule or policy in effect on August 28, 2021, is hereby**  
30 **void.**

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