

HB4009



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB4009

Introduced 2/26/2009, by Rep. Dave Winters

SYNOPSIS AS INTRODUCED:

815 ILCS 370/4.1

from Ch. 5, par. 1704.1

Amends the Motor Fuel and Petroleum Standards Act. Provides that on and after specified dates any diesel fuel sold in Illinois must have a minimum percentage of biodiesel fuel oil. Effective immediately.

LRB096 08946 KTG 19084 b

A BILL FOR

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Motor Fuel and Petroleum Standards Act is
5 amended by changing Section 4.1 as follows:

6 (815 ILCS 370/4.1) (from Ch. 5, par. 1704.1)

7 Sec. 4.1. (a) Upon any retail motor fuel dispensing device
8 which is used to dispense a motor fuel containing at least 1%
9 by volume of ethanol, of methanol, or of a combination thereof,
10 there shall be displayed a label which identifies the maximum
11 percentage by volume, to the nearest whole percent, of ethanol,
12 of methanol, and of co-solvent contained in the motor fuel.
13 Such labelling shall be done in contrasting colors with block
14 letters at least 1/2 inch in height and 1/4 inch in width, and
15 not more than one inch in height and 1/2 inch in width, and
16 shall be visible to customers. The label shall be located on
17 the front or sides of the dispenser and within the top 30
18 percent of the height of the dispenser. On a dual-faced
19 dispenser, the label shall be affixed on each front or each
20 side in accordance with these requirements. Devices used to
21 dispense only motor fuels which contain a total of less than 1%
22 by volume of methanol and ethanol need not be so labelled.

23 (a-5) (Blank).

1 (a-10) Upon any retail motor fuel dispensing device that is
2 used to dispense a motor fuel containing biodiesel or biodiesel
3 blends, the biodiesel and biodiesel blends shall be identified
4 by the capital letter "B" followed by the numerical value
5 representing the volume percentage of biodiesel fuel, such as
6 B10, B20, or B100, as follows:

7 (1) Upon any retail motor fuel dispensing device that
8 is used to dispense a motor fuel containing between 5% and
9 up to and including 20% of biodiesel, there shall be
10 displayed on each retail dispenser:

11 (a) the capital letter "B" followed by the
12 numerical value representing the maximum volume
13 percentage of biodiesel fuel and ending with
14 "biodiesel blend", such as B10 biodiesel fuel blend or
15 B20 biodiesel fuel blend; or

16 (b) the phrase "biodiesel blend between 5% and 20%"
17 or similar words.

18 (2) Upon any retail motor fuel dispensing device that
19 is used to dispense a motor fuel containing more than 20%
20 of biodiesel, there shall be displayed on each retail
21 dispenser the capital letter "B" followed by the numerical
22 value representing the volume percentage of biodiesel fuel
23 and ending with either "biodiesel" or "biodiesel blend",
24 such as B100 biodiesel or B60 biodiesel blend.

25 (3) The label shall be done in contrasting colors with
26 block letters at least 1/2 inch in height and 1/4 inch in

1 width, and not more than one inch in height and 1/2 inch in
2 width, and shall be visible to customers. The label shall
3 be located on the front or sides of the dispenser and
4 within the top 30% of the height of the dispenser. On a
5 dual-faced dispenser, the label shall be affixed on each
6 front or each side in accordance with these requirements.
7 Devices used to dispense only motor fuels that contain a
8 total of 5% or less by volume of biodiesel need not be
9 labeled.

10 (b) Each seller of a motor fuel which contains methanol,
11 ethanol, or biodiesel shall notify the purchaser thereof of the
12 percentage by volume of ethanol, of methanol, of biodiesel, and
13 of co-solvent which have been added to such motor fuel, and
14 this information shall appear on the bill of lading, manifest
15 or delivery ticket for such motor fuel. However, this
16 subsection (b) shall not apply to sales at retail.

17 (c) No motor fuel, whether or not it contains any lead or
18 lead compounds, may contain more ethanol or methanol than is
19 permitted, or contain less co-solvent than is required, by the
20 United States Environmental Protection Agency for unleaded
21 motor fuels under Section 211(f) of the federal Clean Air Act.

22 (d) All motor fuel sold or offered for sale by the
23 distributor shall contain the percentage and type of alcohol as
24 stated on the bill of lading, manifest or delivery ticket.

25 (e) (Blank).

26 (e-5) All diesel fuel sold or offered for sale in the State

1 of Illinois must contain at a minimum the stated percentage by
2 volume of biodiesel on or after the following dates:

3 (1) June 1, 2010 - 2%

4 (2) June 1, 2012 - 5%

5 (3) June 1, 2015 - 10%

6 For purposes of this subsection (e-5) "diesel fuel" has the
7 same meaning ascribed to it in Section 3-44.5 of the Use Tax
8 Act.

9 (f) Nothing in this Section shall be construed to require
10 or impose an obligation upon the owner or operator of a retail
11 motor fuel dispensing station, facility, or device to perform a
12 test on or measurement of a shipment of motor fuel received to
13 determine the specific content of ethanol, methanol, or
14 biodiesel.

15 (Source: P.A. 95-381, eff. 7-1-08.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.