

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 4163

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DATE	D-PG	OFFICIAL STATUS
02/26/2024	11795	Introduction and first reading Referred to Commerce and Consumer Protection
02/29/2024	11862	Author added Rasmusson
03/13/2024		Comm report: To pass as amended Second reading

1.1 A bill for an act

1.2 relating to commerce; adding an exemption for bulk delivery of certain volumes

1.3 of nonoxygenated, unleaded premium grade gasoline; amending Minnesota Statutes

1.4 2022, section 239.791, by adding a subdivision; Minnesota Statutes 2023

1.5 Supplement, section 239.791, subdivision 8.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2023 Supplement, section 239.791, subdivision 8, is amended

1.8 to read:

1.9 Subd. 8. **Disclosure; reporting.** (a) A refinery or terminal, shall provide, at the time

1.10 gasoline is sold or transferred from the refinery or terminal, a bill of lading or shipping

1.11 manifest to the person who receives the gasoline. For oxygenated gasoline, the bill of lading

1.12 or shipping manifest must include the identity and the volume percentage or gallons of

1.13 oxygenate included in the gasoline, and it must state: "This fuel contains an oxygenate. Do

1.14 not blend this fuel with ethanol or with any other oxygenate." For nonoxygenated gasoline,

1.15 the bill or manifest must state: "This fuel is not oxygenated. It must not be sold at retail in

1.16 Minnesota." This subdivision does not apply to sales or transfers of gasoline between

1.17 refineries, between terminals, or between a refinery and a terminal.

1.18 (b) A delivery ticket required under section 239.092 for biofuel blended with gasoline

1.19 must state the volume percentage of biofuel blended into gasoline delivered through a meter

1.20 into a storage tank used for dispensing by persons not exempt under subdivisions 10 to 14

1.21 ~~and~~, 16, and 17.

1.22 (c) On or before the 23rd day of each month, a person responsible for the product must

1.23 report to the department, in the form prescribed by the commissioner, the gross number of

2.1 gallons of intermediate blends sold at retail by the person during the preceding calendar
2.2 month. The report must identify the number of gallons by blend type. For purposes of this
2.3 subdivision, "intermediate blends" means blends of gasoline and biofuel in which the biofuel
2.4 content, exclusive of denaturants and other permitted components, is greater than ten percent
2.5 and no more than 50 percent by volume. This paragraph only applies to a person who is
2.6 responsible for selling intermediate blends at retail at more than ten locations. A person
2.7 responsible for the product at fewer than ten locations is not precluded from reporting the
2.8 gross number of intermediate blends if a report is available.

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

2.11 Sec. 2. Minnesota Statutes 2022, section 239.791, is amended by adding a subdivision to
2.12 read:

2.13 Subd. 17. Bulk delivery of premium grade gasoline; exemption. (a) A person
2.14 responsible for the product may offer for sale, sell, or deliver a bulk delivery of unleaded
2.15 premium grade gasoline, as defined in section 239.751, subdivision 4, that is not oxygenated
2.16 in accordance with subdivision 1 if the conditions in paragraphs (b) to (d) are met.

2.17 (b) Nonoxygenated gas is only for use in vehicles that would qualify for an exemption
2.18 under subdivision 12, paragraph (a).

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

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