

# State of South Dakota

EIGHTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2013

257U0367

## HOUSE BILL NO. 1037

Introduced by: The Committee on Commerce and Energy at the request of the Department  
of Public Safety

1 FOR AN ACT ENTITLED, An Act to define the requirements for the sale of certain octane  
2 petroleum products.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 37-2 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 The minimum  $(R+M)/2$  octane rating grades of petroleum products, as defined by § 37-2-5,  
7 in the counties of Butte, Custer, Fall River, Harding, Lawrence, Meade, Pennington, Perkins,  
8 and Shannon shall be no less than the following:

- 9 (1) Sub-regular unleaded 85;
- 10 (2) Sub-regular unleaded 86;
- 11 (3) Regular unleaded 87;
- 12 (4) Midgrade, plus unleaded 89; and
- 13 (5) Premium, super, supreme, high test unleaded 91.

14 Section 2. That chapter 37-2 be amended by adding thereto a NEW SECTION to read as  
15 follows:



1       The minimum (R+M)/2 octane rating grades of petroleum products in any county other than  
2 those listed in section 1 of this Act shall be no less than the following:

- 3       (1)   Regular unleaded 87;
- 4       (2)   Midgrade, plus unleaded 89; and
- 5       (3)   Premium, super, supreme, high test unleaded 91.

6       Section 3. That chapter 37-2 be amended by adding thereto a NEW SECTION to read as  
7 follows:

8       Each retailer of petroleum products shall identify conspicuously on the fuel pump the type  
9 of fuel product, the particular grade of the fuel product, and the applicable automotive fuel  
10 rating of the fuel to be dispensed. Any sub-regular grade, as defined in section 1 of this Act,  
11 shall be conspicuously identified as sub-regular grade and the pump shall state: "Sub-Regular  
12 Octane-Refer to owner's manual before fueling." Any violation of this section is a Class 2  
13 misdemeanor.