

AN ACT

ENTITLED, An Act to limit the liability of retail dealers in petroleum products under certain conditions.

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

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

A retail dealer in petroleum products subject to inspection under the provisions of this chapter is not liable for damages caused by the use of incompatible motor fuel dispensed at the retail dealer's retail motor fuel pump, if all of the following apply:

- (1) The incompatible motor fuel complies with the specifications for a type of motor fuel as provided in this chapter;
- (2) The incompatible motor fuel is selected by a person other than the retail dealer or an employee or agent of the retail dealer; and
- (3) The incompatible motor fuel is dispensed from a motor fuel pump that correctly labels the type of fuel dispensed.

For the purposes of this section, a motor fuel is incompatible with a motor according to the manufacturer of the motor.

An Act to limit the liability of retail dealers in petroleum products under certain conditions.

=====

I certify that the attached Act  
originated in the

SENATE as Bill No. 89

\_\_\_\_\_  
Secretary of the Senate

=====

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 89

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

=====

Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

=====

The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor

=====

STATE OF SOUTH DAKOTA,  
ss.

Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State