HOUSE BILL NO. 1186

AN ACT TO AMEND SECTION 75-55-5, MISSISSIPPI CODE OF 1972, TO SPECIFY THE MAXIMUM SULFUR CONTENT REQUIREMENT FOR ON-ROAD DIESEL FUEL AND OFF-ROAD DIESEL FUEL; TO SET FORTH DEFINITIONS OF CERTAIN FUELS THAT ARE DERIVED FROM AGRICULTURAL PRODUCTS; TO AMEND SECTION 75-55-7, MISSISSIPPI CODE OF 1972, TO EXEMPT FUELS DERIVED FROM AGRICULTURAL PRODUCTS FROM CERTAIN REQUIREMENTS; TO BRING FORWARD SECTIONS 75-55-9, 75-55-15, 75-55-22 AND 75-55-27, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 75-55-5, Mississippi Code of 1972, is amended as follows:

75-55-5. The words, terms and phrases as used in this chapter shall have the following meanings, unless the context requires otherwise:

(a) The term "commissioner" means the Commissioner of the Mississippi Department of Agriculture and Commerce, or his agents and employees.

(b) The term "State Chemist" means the Director of the Mississippi State Chemical Laboratory, or his agents and employees.

(c) The term "person" shall include any individual, firm, copartnership, joint venture, association, corporation, estate, trust or any other group or combination acting as a unit, and the plural as well as the singular number, unless the intention to give a more limited meaning is disclosed by the context.

(d) The term "illuminating oil" shall include coal oil, kerosene or other petroleum products used for illuminating purposes.
(e) The term "lubricating oil" means all petroleum-based oils or synthetic lubricants intended for use in the crankcase of an internal combustion engine, either spark ignition or diesel type. The purpose of the lubricating oil is to reduce friction between two (2) solid surfaces moving relative to one another.

(f) The term "gasoline pump" shall include pumps, meters and all measuring devices used for measuring gasoline and all oxygenated blended fuels; the term "diesel fuel pump" shall include pumps, meters and all measuring devices used for measuring diesel fuel; the term "kerosene pump" shall include pumps, meters and all measuring devices used for measuring kerosene; the term "liquefied compressed gas pump" shall include pumps, meters and all measuring devices used for measuring liquefied compressed gas.

(g) The term "gasoline" shall include (1) all products commonly or commercially known or sold as gasoline (excluding casinghead and absorption or natural gasoline) regardless of their classification or uses; and (2) a volatile mixture of liquid hydrocarbons, generally containing small amounts of additives, suitable for use as a fuel in spark ignition, internal combustion engines.

(h) The term "commercial gasoline" shall mean a liquid suitable for use as a fuel in spark ignition combustion engines, and shall be free of undissolved water, suspended matter and of any harmful ingredient or component and which, in addition, meets the following test requirements as set out in ASTM D4814, and it shall be the intent of this chapter that the state specifications may be kept current with ASTM D4814 as illustrated below:

   (i) Corrosion ASTM D130. A clean copper strip shall not show more than extremely slight discoloration equivalent to ASTM Strip No. 1, when submerged in the gasoline for three (3) hours at one hundred twenty-two (122) degrees Fahrenheit, as determined by ASTM D130.
(ii) Distillation range. For each month the distillation range shall be that specified by the vapor pressure class requirement for that month. Distillation temperature limits shall be consistent with the corresponding vapor pressure class during the months affected by federal or state regulation which restrict vapor pressure. If the vapor pressure limit is between two (2) classes, the distillation temperature limits of the least restrictive class shall be acceptable. The method of test shall be ASTM D86.

(iii) Residue. The residue, after evaporation, shall not exceed two percent (2%), as determined by ASTM D86.

(iv) Gum test. The gum shall not exceed five (5) milligrams per one hundred (100) milliliters, after the extraction of the residue with a-heptane, as determined by ASTM D381.

(v) Sulphur. The sulphur content shall not exceed ten one-hundredths percent (0.10%) for unleaded gasoline or fifteen one-hundredths percent (0.15%) for leaded gasoline, as determined by ASTM D2622 or D4045.

(vi) Vapor pressure. The vapor pressure during the months of July and August shall not exceed ten (10) pounds per square inch at one hundred (100) degrees Fahrenheit, and during the months of November, December, January, February and March shall not exceed thirteen and one-half (13-1/2) pounds per square inch at one hundred (100) degrees Fahrenheit. The vapor pressure during the remaining months of the year shall not exceed eleven and five-tenths (11.5) pounds per square inch at one hundred (100) degrees Fahrenheit. The method of determination shall be ASTM D4953. Federal or state regulation restricting vapor pressure to lower levels shall preempt these standards during the applicable months.

(vii) Vapor liquid equilibrium. A maximum value of twenty (20) for the vapor liquid equilibrium test during the months July and August shall be obtained at a temperature of one
hundred thirty-three (133) degrees Fahrenheit; for the months of November, December, January, February and March it shall be obtained at a temperature of one hundred sixteen (116) degrees Fahrenheit; for the other months of the year it shall be obtained at one hundred twenty-four (124) degrees Fahrenheit. The method of determination shall be ASTM D2533 or ASTM D4814, appendix X2.

(viii) Lead specifications. The unleaded gasoline shall contain less than five hundredths (0.05) gram of lead per gallon, and the leaded gasoline shall contain a minimum of five hundredths (0.05) gram of lead and less than four and two-tenths (4.2) grams of lead per gallon. The method of analysis should be ASTM D3237, (Atomic Absorption Spectrometry), ASTM D2599 (X-ray Spectrometry) or ASTM D2547 (Volumetric Chromate).

(ix) Classification.

1. "Leaded premium grade gasoline" shall have an \((R + M)/2\) octane antiknock index of at least ninety-three (93). The research octane number shall be at least ninety-six (96).

2. "Unleaded premium grade gasoline" shall have an \((R + M)/2\) octane antiknock index of at least ninety-one (91). The research octane number shall be at least ninety-four (94).

3. "Mid-grade unleaded gasoline" shall have an \((R + M)/2\) octane antiknock index of at least eighty-nine (89). The research octane number shall be at least ninety-two (92).

4. "Leaded regular grade gasoline" shall have an \((R + M)/2\) octane antiknock index of at least eighty-nine (89). The research octane number shall be at least ninety (90).

5. "Unleaded regular grade gasoline" shall have an \((R + M)/2\) octane antiknock index of at least eighty-seven (87). The research octane number shall be at least ninety (90), and the motor octane number shall be at least eighty-two (82).

6. "Third grade gasoline" shall have an \((R + M)/2\) octane antiknock of not more than eighty-seven (87).
The methods of octane determination shall be ASTM D2699 for the research octane number (R) and ASTM D2700 for the motor octane number (M), or ASTM D2885 for both the research octane number and the motor octane number. The (R + M)/2 octane antiknock index shall be the average of the research and motor octane numbers. All retail pumps or delivery devices shall be labeled with the appropriate (R + M)/2 octane antiknock index in accordance with the Federal Trade Commission Octane Posting and Certification Regulation 306. No commercial gasoline shall be colored mahogany. (i) The term "oxygenated fuel" means a liquid fuel which is a homogeneous blend of hydrocarbons and oxygenates. The term "oxygenate" means an oxygen containing, ashless organic compound which may be used as a fuel supplement or additive and includes alcohols and ethers. "Gasoline-oxygenate blend" means a blend consisting primarily of gasoline and a substantial amount of one or more oxygenates. This definition includes, but is not limited to, the following designations: (i) "Gasohol" meaning any motor fuel containing a nominal ten (10) volume percent anhydrous denatured alcohol and ninety (90) volume percent unleaded gasoline, regardless of other name, label or designation. (ii) "Leaded gasohol" meaning any motor fuel containing a nominal ten (10) volume percent anhydrous, denatured ethanol and ninety (90) volume percent leaded gasoline, regardless of other name, label or designation. (iii) Any gasoline - oxygenate blend which meets the United States Environmental Protection Agency's "substantially similar" rule, Section 211(f)(1) of the Clean Air Act, 42 USCS 7545(f)(1). (iv) Any gasoline - oxygenate blend for which there is an existing Clean Air Act waiver issued by the United States Environmental Protection Agency.
"Alcohol blended fuel" means gasohol or leaded gasohol.

"Anhydrous, denatured ethyl alcohol (ethanol)" means normal two hundred (200) proof ethanol to which has been added a maximum of five (5) volumes of approved denaturant(s) to one hundred (100) volumes of ethanol and containing not more than one and twenty-five hundredths percent (1.25%) water by weight as determined by ASTM E203.

"Approved denaturant(s)" means materials used for denaturing ethyl alcohol for use as a motor fuel which have been approved by the United States Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, and both the State Chemist and the Commissioner of Agriculture and Commerce.

Gasoline - oxygenate blends shall meet the state requirements for gasoline with the following modifications:

(i) An increase in vapor pressure not exceeding one (1) pound per square inch may be allowed for gasohol and leaded gasohol January through December of each year. The method of determination shall be ASTM D4953.

(ii) Federal regulation affecting vapor pressure shall preempt these standards during the applicable months.

(iii) The minimum distillation temperature at fifty percent (50%) evaporated shall be one hundred fifty-eight (158) degrees Fahrenheit as determined by ASTM D86.

(iv) Gas - liquid chromatographic procedures shall be considered as official for the determination of oxygenate content as described in ASTM D4814.

1. Gasohol and leaded gasohol shall contain ten plus/minus five-tenths (10+/-.5) volume percent anhydrous denatured ethanol.

2. Gasoline - oxygenate blends not otherwise defined in this chapter may contain the maximum percentage and...
type of oxygenates as allowed by the "substantially similar" rule under the Clean Air Act.

(v) Water tolerance shall be such that no phase separation occurs when the product is subjected to a temperature equal to the lowest expected ambient temperature based on seasonal volatility classifications as specified in the current ASTM D4814.

(m) The term "oil" as used in this chapter shall include diesel fuel, kerosene, fuel oil, distillate, gas oil, tractor fuel or any other product other than gasoline, as defined in this chapter, which is usable as fuel in an internal combustion engine, and any product which, on distillation in accordance with the method of test of the American Society for Testing and Materials shows not more than ten percent (10%) recovered when the thermometer shows two hundred sixty-one (261) degrees Fahrenheit; and not more than ninety-five percent (95%) recovered when the thermometer shows four hundred sixty-five (465) degrees Fahrenheit or more; provided that nothing in this paragraph shall be construed to include oils received or sold as lubricants when such oils cannot be used as a fuel in internal combustion engines.

(n) "Diesel fuel" is any petroleum product intended for use or offered for sale as a fuel for engines in which the fuel is injected into the combustion chamber and ignited by pressure without the presence of an electric spark.

Specifications: The fuel oils herein specified shall be hydrocarbon oils free from acids, grit and fibrous or other foreign material. Three (3) grades of such oils are specified and these shall conform to the detailed requirements in the current American Society for Testing and Materials Specifications for Diesel Fuel Oils (ASTM D975), except for the sulphur content of Grade 2-D. All tests shall be in accordance with the applicable American Society for Testing and Materials method as set forth in the current ASTM Designation D975. Diesel fuel requirements are listed below:
<table>
<thead>
<tr>
<th>Grade 1-D</th>
<th>Grade 2-D</th>
<th>Grade 4-D</th>
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<tbody>
<tr>
<td>Flash point, degrees F.</td>
<td>D93</td>
<td>Min. 100</td>
</tr>
<tr>
<td>Water &amp; sediment, % by volume, D1796</td>
<td>Max. 0.05</td>
<td>Max. 0.05</td>
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<tr>
<td>Carbon residue on 10% residium, %</td>
<td>Max. 0.15</td>
<td>Max. 0.35</td>
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<tr>
<td>Ash, % by weight, D482</td>
<td>Max. 0.01</td>
<td>Max. 0.01</td>
</tr>
<tr>
<td>Distillation, 90% point, degrees F., D86</td>
<td>________</td>
<td>Min. 540</td>
</tr>
<tr>
<td>Viscosity @ 100 degrees F. kinematic-centistokes</td>
<td>D445</td>
<td>Min. 1.3</td>
</tr>
<tr>
<td>or</td>
<td>Max. 2.4</td>
<td>Max. 4.1</td>
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<tr>
<td>Viscosity @ 100 degrees F., Saybolt Universal</td>
<td>________</td>
<td>Min. 32.6</td>
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<tr>
<td></td>
<td>Max. 34.4</td>
<td>Max. 40.1</td>
</tr>
<tr>
<td>Copper strip corrosion,</td>
<td>D130</td>
<td>Max. No. 3</td>
</tr>
<tr>
<td>Cetane number, D613 or D976</td>
<td>Min. 40</td>
<td>Min. 40</td>
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The maximum sulfur content for on-road diesel fuel shall be in the amount that is specified in 42 USCS Section 7545, or in any federal statute, rule or regulation which either supercedes 42 USCS Section 7545 or further regulates on-road diesel fuel pursuant to federal law. The maximum sulfur content for off-road diesel fuel shall be in an amount that shall not exceed thirty (30) parts per million by July 1, 2003, twenty-five (25) parts per million by July 1, 2004, twenty (20) parts per million by July 1, 2005, and fifteen (15) parts per million by July 1, 2006, or in any lower amount that may be specified in any federal statute rule.
or regulation. For purposes of this provision, "on-road diesel
fuel" is diesel fuel intended for use in motor vehicles that
generally will be operated on streets, roads and highways, and
"off-road diesel fuel" is diesel fuel not intended for use in such
motor vehicles, but that is intended for use in agricultural or
construction equipment or vehicles that generally are operated off
of a street, road or highway.

(o) The word "kerosene" shall include lamp oil,
illuminating oil and coal oil which shall conform to the detailed
requirements set forth in the current American Society for Testing
and Materials Specification for Kerosene (ASTM D3699). All tests
shall be in accordance with the applicable American Society for
Testing and Material Methods as set forth in ASTM D3699. The
detailed requirements are listed below:

(i) The oil shall be free of water and suspended
matter.

(ii) The color shall not be darker than number
plus sixteen (16) on the Saybolt scale, as determined by ASTM
D156.

(iii) The flash point shall, by ASTM D56, not be
lower than one hundred (100) degrees Fahrenheit when determined in
Tagliabue closed type tester, as determined by ASTM D56.

(iv) The sulphur content shall not exceed four
one-hundredths percent (0.04%) for No. 1-K kerosene and thirty
one-hundredths percent (0.30%) for No. 2-K. The method of
determination shall be ASTM D1266. No. 1-K kerosene is a special
low-sulphur grade kerosene suitable for use in nonflue-connected
kerosene burner appliances and in wick-fed illuminating lamps. No.
2-K Kerosene is suitable for use in flue-connected burner
appliances and in wick-fed illuminating lamps.

(v) The distillation ten percent (10%) point shall
not be higher than four hundred one (401) degrees Fahrenheit, as
determined by ASTM D86.
(vi) The distillation end point shall not be higher than five hundred seventy-two (572) degrees Fahrenheit, as determined by ASTM D86.

(vii) The oil shall not show a cloud point at five (5) degrees Fahrenheit, as determined by ASTM D2500.

(viii) The oil shall burn freely and steadily for sixteen (16) hours, as determined by ASTM D187.

(ix) The gravity shall not be less than degrees API 41, as determined by ASTM D1298.

(x) The corrosion test results shall be No. 1 Maximum in a three-hour at two hundred twelve (212) degrees Fahrenheit test, as determined by ASTM D130.

(p) "Racing gasoline" means any gasoline which is sold for racing purposes. Racing gasoline may be sold from retail dispensing equipment under the following conditions:

(i) The product brand name and octane number shall be registered with the Commissioner of Agriculture and Commerce and the State Chemist.

(ii) The manufacturer shall forward a list of marketers selling these product(s) and the product(s) being sold by each marketer.

(iii) Marketers shall register their retail outlets by location and provide a list of the product(s) sold for each retail outlet.

(iv) The dispensing equipment shall contain a conspicuous sign stating that the fuel is racing gasoline. The dispensing equipment shall not contain any kind of representation indicating that the product is suitable for vehicles other than for racing.

(v) The dispensing equipment shall be dedicated to and isolated from any other motor fuel dispensing equipment in a manner that a vehicle cannot access both the commercial gasoline and the racing gasoline at the same time.
(vi) Any violation shall result in revocation of
the approval to market and/or confiscation of the product.

(vii) The Commissioner of Agriculture and Commerce
(the "commissioner") and the State Chemist are hereby given
authority to change the specifications set forth in this section
to comply with the currently recommended ASTM or federally
required specifications.

(q) "Ethanol" means fermentation ethyl alcohol derived
from agricultural products, including residue and waste generated
from the production, processing and marketing of agricultural
products, that meets all of the specifications in ASTM
specification D 4806-88; and is denatured as specified in Code of
Federal Regulations, Title 27, parts 20 and 21.

(r) "Wet alcohol" means agriculturally derived
fermentation ethyl alcohol having a purity of at least fifty
percent (50%) but less than ninety-nine percent (99%).

(s) "Anhydrous alcohol" means fermentation ethyl
alcohol derived from agricultural products, including residue and
waste generated from the production, processing and marketing of
agricultural products, but that does not meet ASTM specifications
or is not denatured, and is shipped in bond for further
processing.

SECTION 2. Section 75-55-7, Mississippi Code of 1972, is
amended as follows:

75-55-7. (1) Provided, however, that gasoline, as defined
in Section 75-55-5, shall not be subject to specifications
required under such section, when such gasoline is purchased or
received in this state for uses other than for sale or
distribution to the consuming public. This exemption shall apply
to gasoline that will not be used on the road.

(2) The Commissioner of Agriculture and Commerce (the
"commissioner") and the State Chemist shall have authority, but
are not compelled, to establish specifications for aviation and
other special gasolines when received in this state for any purpose other than for use in propelling motor vehicles on the highways, or for sale or distribution to the consuming public.

359 (3) It is provided that the specifications adopted for gasoline shall not apply to "gas machine gasoline" prepared or received in this state for use in industrial equipment, when such gasoline is not used or not capable of use in propelling motor vehicles on the highways.

367 (4) The commissioner and the State Chemist shall have authority but they are not compelled to establish specifications for fuel oils and oil for other engines.

365 (5) The agriculturally derived fuels of ethanol, wet alcohol and anhydrous alcohol shall be exempt from the provisions of this chapter.

SECTION 3. Section 75-55-9, Mississippi Code of 1972, is brought forward as follows:

75-55-9. Any person selling at retail gasoline, alcohol blended fuel, diesel fuel or kerosene, as defined in this chapter, shall at all times display signs as herein defined:

(a) All pumps and dispensing equipment for gasoline, alcohol blended fuel, diesel fuel or kerosene shall be marked conspicuously to show the total price per gallon of gasoline, alcohol blended fuel, diesel fuel or kerosene offered for sale, in figures of equal size and where fractional cents or figures are used therein, the combined height and width of the numerator and denominator shall be equal to the height and width of the other figures used. Provided, however, that any sign provided by the manufacturer of the retail pump or dispensing equipment which shows the total price per gallon and is part of the computing mechanism of such pumps and dispensing equipment shall be considered as being in compliance with this subsection.

(b) All signs placed on the premises of any service station and any highway, road, street or alley leading thereto
advertising the price per gallon of gasoline, alcohol blended
fuel, diesel fuel or kerosene offered for sale, shall show the
registered brand name and total price in figures of equal size,
and where fractional figures are used therein, the width of the
numerator and denominator of the fraction shall be equal to
one-third (1/3) of the width of the other figures, but the
combined height of the numerator and denominator shall be the same
as that of the other figures. Where a decimal is used, then the
fraction shall be at least one-half (1/2) the height of the other
figures used in the sign, and the fraction shall be at least
one-third (1/3) of the width of the other figures used in the
sign. All figures and fractional figures shall be painted the
same color as the other figures used in the sign. The total price
per gallon on signs located on all premises of any service station
and on highways, roads, streets or alleys leading to the service
station shall be in agreement as to the total price per gallon
shown on the retail pump dispensing the same brand of gasoline,
alcohol blended fuel, diesel fuel or kerosene as that being so
advertised. All signs advertising the price per gallon of
gasoline, alcohol blended fuel, diesel fuel or kerosene offered
for sale through self-service operated pumps at retail service
stations shall clearly indicate that the posted price per gallon
and brand is offered for sale through self-service pumps.

(c) Containers of gasoline below fifty (50) gallons
capacity, or any product flashing below one hundred (100) degrees
Fahrenheit, shall be painted red; provided that containers, not of
metal and of a capacity of one (1) gallon or less, may carry a red
label designating the product.

(d) All filler pipes for petroleum bulk storage tanks
and retail station storage tanks shall be identified by painting a
sign on the intake pipe cap or within six (6) inches thereof in
lettering not less than two (2) inches in height and not less than
one-fourth (1/4) inch in width the following: for premium
gasoline or alcohol blended fuel, the letter "P"; for regular
leaded grade gasoline or alcohol blended fuel, the letter "R"; for
third grade gasoline, the letters "3G"; for unleaded gasoline or
alcohol blended fuel, the letters "UG"; for diesel fuel, the
letter "D"; for kerosene, the letter "K"; for lubricating oil, the
letters "LO"; for tractor fuel, the letters "TF"; the letter "S"
for solvent; the letter "N" for naphtha; and for any other
petroleum product classified as an oil not specifically specified
in this subsection, the word "oil." In addition to existing
requirements, all filler pipes for bulk and retail station tanks
used for the storage of nonleaded gasoline shall be further
identified as follows: for nonleaded premium gasoline, the
letters "NLP"; and for nonleaded regular grade gasoline, the
letters "NLR". Such lettering shall be painted on the intake pipe
cap or within six (6) inches thereof, and shall be not less than
two (2) inches in height and not less than one-fourth (1/4) inch
in width. Nothing in this subsection shall apply to bulk storage
tanks located at marine or pipeline terminals, nor bulk storage
tanks used for the storage of liquefied compressed gas, nor
prohibit "color coding" in addition to the lettering, where
desired.

SECTION 4. Section 75-55-15, Mississippi Code of 1972, is
brought forward as follows:

75-55-15. No person shall store, keep, expose for sale,
offer for sale, or sell from any tank or container or from any
pump or other distributing device or equipment, any gasoline,
alcohol blended fuel, diesel fuel, kerosene, illuminating oil, or
lubricating oils or other similar products than those indicated by
the name, trade name, symbol, or sign of the manufacturer or
distributor of the trademark or trade name of the product
appearing upon the tank, container, pump, or other distributing
equipment from which the same are sold, offered for sale or
distributed; provided that the product of any manufacturer may be
sold from distributing equipment not bearing the name, trade name,
symbol or sign of any manufacturer. Provided further, that no
distributor or other person shall deliver any gasoline, alcohol
blended fuel, diesel fuel, kerosene, illuminating oils, or other
similar products when such products are for resale to the
consuming public and place said products in storage tanks,
containers, or other devices when such storage tanks, containers,
or other devices are labeled contrary to the true nature of the
products being delivered or when such storage tanks, containers,
or other devices bear any sign, symbol, trademark, or label not
reflecting the true sign, symbol, trademark or name of the product
being delivered.

All distributors or other persons receiving, storing, selling
or distributing gasoline, alcohol blended fuel or oil in the State
of Mississippi shall have plainly marked on the tanks, pumps, or
other containers in which gasoline, alcohol blended fuel or oil is
kept, words designating whether the product is gasoline, alcohol
blended fuel or oil. No distributor or other person shall place
any gasoline in a container marked oil or alcohol blended fuel, or
any oil in a container marked gasoline or alcohol blended fuel, or
alcohol blended fuel in any container marked gasoline or oil, nor
shall there be any pipe or other connections between oil, gasoline
and alcohol blended fuel containers. Provided, however, that
nothing in this or any other law shall be construed to prohibit
the use at common carrier pipeline terminals, of the same
unloading lines to and between gasoline, alcohol blended fuel, and
oil bulk storage stations, where adequate precautions have been
taken to prevent contamination or adulteration of either oil,
gasoline or alcohol blended fuel. No distributor or other person
shall receive, store or distribute oil as gasoline or alcohol
blended fuel nor gasoline as oil or alcohol blended fuel, nor
alcohol blended fuel as oil or gasoline nor shall any distributor
or other person make a false statement to the commissioner or his
successor or any of his employees with reference to products received, stored, sold or delivered by such distributor or other person.

No distributor or other person shall sell or distribute or offer for sale or distribution gasoline and oil, or either, when such gasoline or oil, or either, is mixed, blended, or adulterated in this state in any manner or with any other product. Provided, however, this section shall not be construed to prevent any purchaser of gasoline and oil, or either, to adulterate such products after purchase to meet requirements of his individual uses and purposes, but in no event shall such purchaser sell or distribute such adulterated products, and it is not intended to levy a tax on crude oil produced in this state. Provided further, that blending pumps from which gasoline and lubricating oil are dispensed at the same time into a fuel tank or other container as marine fuel, may be installed by a distributor upon the prior issuance of a permit so to do by the commissioner or his successor, when said pumps shall have been approved by the Underwriter's Laboratories, Inc. Provided further, that nothing in this paragraph shall be construed to prohibit the manufacture of alcohol blended fuel.

Blending of grades of gasoline, additives, and compounds shall be limited to refineries, terminals, and blending pumps, and no person other than those employed at aforesaid facilities shall be permitted to blend any of the above-named products. Provided, however, that gasoline may be blended with alcohol to form alcohol blended fuel at other locations in the State of Mississippi as may be designated and licensed by the commissioner.

Any person guilty of violating any of the provisions of this section shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than Twenty-five Dollars ($25.00) nor more than One Hundred Dollars ($100.00) for the first such offense and not less than One Hundred Dollars ($100.00) nor
more than Five Hundred Dollars ($500.00) for each such offense
thereafter, and the penalty shall extend to principal and agent
alike.

SECTION 5. Section 75-55-22, Mississippi Code of 1972, is
brought forward as follows:

75-55-22. Any person located in Mississippi, except the
holder of a refiner or a processor's permit, who blends or mixes
alcohol blended fuel for sale, delivery, exchange or use in
Mississippi shall obtain from the commissioner a permit
authorizing him to engage in business as a producer of alcohol
blended fuel. Each producer of alcohol blended fuel shall have
the necessary equipment to insure a complete and homogeneous
mixture. The finished product shall meet all of the state's
standards and specifications and shall not be transferred, sold,
exchanged, delivered, used or disposed of by any other means until
approved by the commissioner and the State Chemist.

All alcohol blended fuel transported or imported into the
State of Mississippi shall comply with all specifications and
standards adopted by this state for such use.

All gasoline, leaded or unleaded, kept, offered, or exposed
for sale, or sold, at retail containing one percent (1%) or more
by volume of ethanol, methanol or an ethanol/methanol mixture,
shall be identified as "with" or "containing" (or similar wording)
"ethanol," "methanol" or "ethanol/methanol" on the upper fifty
percent (50%) of the dispenser front panels in a position clear
and conspicuous from the driver's position, in a type at least
one-half (1/2) inch in height, and one-sixteenth (1/16) inch
stroke (width of type). All letters shall be black with a
contrasting background.

All distributors, processors, refiners, and any other persons
receiving, storing, selling, distributing or transporting gasoline
that contains one percent (1%) by volume or more of methanol,
ST: Fuel; specify certain requirements for diesel and other fuels.

SECTION 6. Section 75-55-27, Mississippi Code of 1972, is brought forward as follows:

75-55-27. (1) No retail station pump shall dispense more than one (1) product and station pipelines for gasoline, alcohol blended fuel, diesel fuel, kerosene, fuel oils, or other products shall be entirely separate.

(2) No requirements or provisions of this chapter shall prevent or abridge the use of gasoline, alcohol blended fuel, diesel fuel, kerosene, liquefied compressed gases or other petroleum products for heating or illuminating purposes through the use of special devices approved by the commissioner when not used on a highway.

(3) The provisions of this chapter are not to apply to products unloaded in this state and intended for shipment into another state; provided no portion be offered for sale, and provided further, that all petroleum products so unloaded be reported to the commissioner.

(4) It shall be unlawful for any person to obstruct or hinder in any way the commissioner or his agents in the performance of his duties.

Where self-service pumps and attendant-operated pumps are both operated at the same retail service station, there shall be attached or painted on each such self-service pump or equipment the words "SELF-SERVICE" in letters of not less than one (1) inch in height and not less than seven (7) inches across, on a contrasting background.

SECTION 7. This act shall take effect and be in force from and after July 1, 2002.