

By: Representative Fleming

To: Agriculture;
Transportation

HOUSE BILL NO. 42

1 AN ACT TO AMEND SECTION 75-55-22, MISSISSIPPI CODE OF 1972,
2 TO PROHIBIT THE USE OF METHYL TERT-BUTYL ETHER (MTBE) AS A FUEL
3 ADDITIVE; TO REVISE LABELING REQUIREMENTS FOR CERTAIN GASOLINE;
4 AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 75-55-22, Mississippi Code of 1972, is
7 amended as follows:

8 75-55-22. Any person located in Mississippi, except the
9 holder of a refiner or a processor's permit, who blends or mixes
10 alcohol blended fuel for sale, delivery, exchange or use in
11 Mississippi shall obtain from the commissioner a permit
12 authorizing him to engage in business as a producer of alcohol
13 blended fuel. Each producer of alcohol blended fuel shall have
14 the necessary equipment to insure a complete and homogeneous
15 mixture. The finished product shall meet all of the state's
16 standards and specifications and shall not be transferred, sold,
17 exchanged, delivered, used or disposed of by any other means until
18 approved by the commissioner and the State Chemist. Any use of
19 Methyl Tert-Butyl Ether (MTBE) as a fuel additive is prohibited.

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

23 All gasoline, leaded or unleaded, kept, offered, or exposed
24 for sale, or sold, at retail containing eleven percent (11%) or
25 more by volume of ethanol, methanol or an ethanol/methanol
26 mixture, shall be identified as "with" or "containing" (or similar
27 wording) "ethanol," "methanol" or "ethanol/methanol" on the upper
28 fifty percent (50%) of the dispenser front panels in a position

29 clear and conspicuous from the driver's position, in a type at
30 least one-half (1/2) inch in height, and one-sixteenth (1/16) inch
31 stroke (width of type). All letters shall be black with a
32 contrasting background.

33 All distributors, processors, refiners, and any other persons
34 receiving, storing, selling, distributing or transporting gasoline
35 that contains eleven percent (11%) by volume or more of methanol,
36 ethanol or other alcohol shall identify the type or chemical name
37 and percentage of such alcohol on any invoice, bill of lading,
38 shipping paper or on any other type of documentation which is used
39 in normal and customary practice in the petroleum industry.

40 **SECTION 2.** This act shall take effect and be in force from
41 and after July 1, 2006.