

Conference Engrossed

**FILED**

**JANICE K. BREWER  
SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Forty-eighth Legislature  
Second Regular Session  
2008

CHAPTER 254

# **HOUSE BILL 2621**

AN ACT

AMENDING TITLE 41, CHAPTER 10, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-1515.01; AMENDING SECTION 41-2051, ARIZONA REVISED STATUTES; AMENDING SECTION 41-2083, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2007, CHAPTER 292, SECTION 8; REPEALING SECTION 41-2122.01, ARIZONA REVISED STATUTES; RELATING TO THE DEPARTMENT OF WEIGHTS AND MEASURES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 41, chapter 10, article 1, Arizona Revised Statutes,  
3 is amended by adding section 41-1515.01, to read:

4 41-1515.01. Arizona biofuels conversion program; fund; program  
5 termination; definitions

6 A. THE ARIZONA BIOFUELS CONVERSION PROGRAM IS ESTABLISHED IN THE  
7 DEPARTMENT TO ENCOURAGE THE USE OF BIOFUELS.

8 B. THE ARIZONA BIOFUELS CONVERSION PROGRAM FUND IS ESTABLISHED  
9 CONSISTING OF MONIES RECEIVED THROUGH GIFTS, GRANTS, DONATIONS, OTHER STATE  
10 AND UNITED STATES GOVERNMENT FUNDS OR PRIVATE SOURCES.

11 C. ON OR BEFORE JANUARY 1, 2009, THE DIRECTOR SHALL DEVELOP A  
12 PROCEDURE FOR AWARDED GRANTS FROM THE FUND TO PROVIDE FOR CONVERSION OF  
13 EXISTING AND INSTALLATION OF NEW STORAGE AND DISPENSING EQUIPMENT FOR  
14 BIOFUELS AS FOLLOWS:

15 1. FOR COMMERCIAL MOTOR FUEL DISPENSING SITES, THE PROCEDURE FOR  
16 AWARDED GRANTS SHALL INCLUDE CONSIDERATION OF TRAFFIC PATTERNS, THE  
17 PROXIMITY TO OTHER BIOFUEL DISPENSING SITES, FLEET INVOLVEMENT, THE  
18 POPULATION OF VEHICLES THAT USES BIOFUELS AND THE COSTS OF THE PROJECT.

19 2. FOR COUNTY, CITY, TOWN AND SCHOOL DISTRICT MOTOR FUEL DISPENSING  
20 SITES, THE PROCEDURE FOR AWARDED GRANTS SHALL INCLUDE CONSIDERATION OF THE  
21 PROJECT PLAN, THE EXPECTED USAGE OF BIOFUELS PER YEAR FOR EACH SITE, THE  
22 NUMBER OF VEHICLES IN THE FLEET CAPABLE OF USING BIOFUELS AND THE COSTS OF  
23 THE PROJECT.

24 D. THE DIRECTOR SHALL ADMINISTER THE PROGRAM AND THE FUND.

25 E. SUBJECT TO THE AVAILABILITY OF MONIES IN THE FUND, THE DIRECTOR  
26 SHALL AWARD GRANTS EQUAL TO THE LESSER OF THIRTY THOUSAND DOLLARS OR FORTY  
27 PER CENT OF THE CONVERSION COST PER SITE TO APPLICANTS WHO PROVIDE AN  
28 ACCEPTABLE PROJECT PLAN THAT INCLUDES A DETAILED COST SCHEDULE AND TIMELINE  
29 FOR THE COMPLETION OF THE PROJECT.

30 F. MONIES IN THE FUND:

31 1. SHALL BE SPENT ONLY FOR THE PURPOSES PRESCRIBED IN THIS SECTION,  
32 EXCEPT THAT THE DEPARTMENT MAY USE UP TO FIVE PER CENT OF THE MONIES IN THE  
33 FUND EACH YEAR TO ADMINISTER THE PROGRAM.

34 2. ARE CONTINUOUSLY APPROPRIATED.

35 3. ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO  
36 LAPSING OF APPROPRIATIONS.

37 G. THE PROGRAM ESTABLISHED BY THIS SECTION ENDS ON JULY 1, 2013  
38 PURSUANT TO SECTION 41-3102.

39 H. FOR THE PURPOSES OF THIS SECTION, "BIOFUEL" AND "BIOMASS" HAVE THE  
40 SAME MEANINGS PRESCRIBED IN SECTION 41-2051.

41 Sec. 2. Section 41-2051, Arizona Revised Statutes, is amended to read:  
42 41-2051. Definitions

43 In this chapter, unless the context otherwise requires:

44 1. "Biodiesel" means a diesel fuel substitute THAT IS PRODUCED FROM  
45 NONPETROLEUM RENEWABLE RESOURCES AS DEFINED BY THE UNITED STATES

1 ENVIRONMENTAL PROTECTION AGENCY AND THAT MEETS THE REGISTRATION REQUIREMENTS  
2 FOR FUELS AND FUEL ADDITIVES ESTABLISHED BY THE UNITED STATES ENVIRONMENTAL  
3 PROTECTION AGENCY PURSUANT TO SECTION 211 OF THE CLEAN AIR ACT, AS DEFINED IN  
4 SECTION 49-401.01. ~~that satisfies all of the following:~~

5 ~~(a) Is produced from nonpetroleum renewable resources if the~~  
6 ~~qualifying volume of nonpetroleum renewable resources meets the standards for~~  
7 ~~California diesel fuel as adopted by the California air resources board~~  
8 ~~pursuant to 13 California code of regulations sections 2281 and 2282 in~~  
9 ~~effect on January 1, 2000.~~

10 ~~(b) Meets the registration requirement for fuels and additives~~  
11 ~~established by the environmental protection agency pursuant to section 211 of~~  
12 ~~the clean air act as defined in section 49-401.01.~~

13 ~~(c) The use of the diesel fuel substitute complies with the~~  
14 ~~requirements listed in 10 Code of Federal Regulations part 490, as printed in~~  
15 ~~the federal register, volume 64, number 96, May 19, 1999.~~

16 ~~(d) Is sold, offered or exposed for sale as a neat product or blended~~  
17 ~~with diesel fuel.~~

18 2. "BIODIESEL BLEND" MEANS A MOTOR FUEL THAT IS COMPRISED OF BIODIESEL  
19 AND DIESEL FUEL AND THAT IS DESIGNATED BY THE LETTER "B", FOLLOWED BY THE  
20 NUMERIC VALUE OF THE VOLUME PERCENTAGE OF BIODIESEL IN THE BLEND.

21 3. "BIOFUEL" MEANS A SOLID, LIQUID OR GASEOUS FUEL THAT IS DERIVED  
22 FROM BIOMASS AND THAT CAN BE USED DIRECTLY FOR HEATING OR POWER OR AS A MOTOR  
23 FUEL.

24 4. "BIOFUEL BLEND" MEANS A MOTOR FUEL THAT IS COMPRISED OF A BIOFUEL,  
25 THAT IS COMBINED WITH A PETROLEUM BASED FUEL AND THAT IS DESIGNATED BY THE  
26 VOLUME PERCENTAGE OF BIOFUEL IN THE BLEND.

27 5. "BIOMASS" MEANS BIOLOGICAL MATERIAL, SUCH AS PLANT OR ANIMAL  
28 MATTER, EXCLUDING ORGANIC MATERIAL THAT HAS BEEN TRANSFORMED BY GEOLOGICAL  
29 PROCESSES INTO SUBSTANCES SUCH AS COAL OR PETROLEUM OR DERIVATIVES THEREOF,  
30 THAT MAY BE TRANSFORMED INTO BIOFUEL.

31 ~~2-~~ 6. "Certification" means the process of determining the accuracy  
32 of a commercial device to the standards of this state by a registered service  
33 representative or the department.

34 ~~3-~~ 7. "Commercial device" means any weighing, measuring, metering or  
35 counting device that is used to determine the direct cost of things sold or  
36 offered or exposed for sale, or used to establish a fee for service if the  
37 cost is based on weight, measure or count, except that it does not include  
38 those devices used for in-house packaging, inventory control or law  
39 enforcement purposes.

40 ~~4-~~ 8. "Commodity" means any merchandise, product or substance  
41 produced or distributed for sale to or use by others.

42 ~~5-~~ 9. "Correct" as used in connection with weights and measures means  
43 conformance to all applicable requirements of this chapter.

44 ~~6-~~ 10. "Department" means the department of weights and measures.

- 1           ~~7-~~ 11. "Diesel FUEL" means a refined middle distillate ~~for use~~ THAT  
2 IS USED as a fuel in a compression-ignition internal combustion engine AND  
3 THAT MEETS THE SPECIFICATIONS OF ASTM D975.
- 4           ~~8-~~ 12. "Director" means the director of the department of weights and  
5 measures.
- 6           13. "E85" MEANS A FUEL ETHANOL GASOLINE BLEND THAT MEETS THE  
7 SPECIFICATIONS OF ASTM D5798.
- 8           ~~9-~~ 14. "Inspector" means state officials of the department of weights  
9 and measures.
- 10          ~~10-~~ 15. "Limousine" means a motor vehicle providing prearranged ground  
11 transportation service for an individual passenger, or a group of passengers,  
12 that is arranged in advance or is operated on a regular route or between  
13 specified points and includes ground transportation under a contract or  
14 agreement for services that includes a fixed rate or time and is provided in  
15 a motor vehicle with a seating capacity not exceeding fifteen passengers,  
16 including the driver.
- 17          ~~11-~~ 16. "Liquid fuel measuring device" means any meter, pump, tank,  
18 gauge or apparatus used for volumetrically determining the quantity of any  
19 internal combustion engine fuel, liquefied petroleum gas or low viscosity  
20 heating oil.
- 21          ~~12-~~ 17. "Livery vehicle" means a motor vehicle that:  
22           (a) Has a seating capacity not exceeding fifteen passengers, including  
23 the driver.  
24           (b) Provides passenger services for a fare determined by a flat rate  
25 or flat hourly rate between geographic zones or within a geographic area.  
26           (c) Is available for hire on an exclusive or shared ride basis.  
27           (d) May do any of the following:  
28           (i) Operate on a regular route or between specified places.  
29           (ii) Offer prearranged ground transportation service as defined in  
30 section 28-141.  
31           (iii) Offer on demand ground transportation service pursuant to a  
32 contract with a public airport, licensed business entity or organization.
- 33          18. "MISFUEL" MEANS THE ACT OF DISPENSING INTO THE FUEL TANK OF A MOTOR  
34 VEHICLE A MOTOR FUEL THAT WAS NOT INTENDED TO BE USED IN THE ENGINE OF THAT  
35 MOTOR VEHICLE.
- 36          ~~13-~~ 19. "Motor fuel" means a petroleum or a petroleum based substance  
37 that is motor gasoline, aviation gasoline, number one or number two diesel  
38 fuel or any grade of oxygenated gasoline typically used in the operation of a  
39 motor engine, including biodiesel blends, BIOFUEL BLENDS and the ethanol  
40 blend E85 as defined in ASTM ~~D5798-99~~ D5798.
- 41          ~~14-~~ 20. "Package" means any commodity enclosed in a container or  
42 wrapped in any manner in advance of sale in units suitable for either  
43 wholesale or retail trade.

1       ~~15-~~ 21. "Person" means both the plural and the singular, as the case  
2 demands, and includes individuals, partnerships, corporations, companies,  
3 societies and associations.

4       ~~16-~~ 22. "Public weighmaster" means any person who is engaged in any of  
5 the following:

6           (a) The business of weighing any object or thing for the public  
7 generally for hire or for internal use and issuing for that weighing a weight  
8 certificate intended to be accepted as an accurate weight upon which a  
9 purchase or sale is to be based or on which a service fee is to be charged.

10          (b) The business of weighing for hire motor vehicles, trailers or  
11 semitrailers and issuing weight certificates intended to be accepted as an  
12 accurate weight for the purpose of determining the amount of any tax, fee or  
13 other assessment on the vehicles.

14       ~~17-~~ 23. "Reference standards" means the physical standards of the  
15 state that serve as the legal reference from which all other standards and  
16 weights and measures are derived.

17       ~~18-~~ 24. "Registered service agency" means any agency, firm, company or  
18 corporation that for hire, award, commission or any other payment of any kind  
19 installs, services, repairs or reconditions a commercial device or tests or  
20 repairs vapor recovery systems or vapor recovery components and that has been  
21 issued a license by the department.

22       ~~19-~~ 25. "Registered service representative" means any individual who  
23 for hire, award, commission or any other payment of any kind installs,  
24 services, repairs or reconditions a commercial device or tests or repairs  
25 vapor recovery systems or vapor recovery components and who has been issued a  
26 license by the department.

27       ~~20-~~ 26. "Retail seller" means a person whose business purpose is to  
28 sell, expose or offer for sale or use any package or commodity by weight,  
29 measure or count.

30       ~~21-~~ 27. "Sale from bulk" means the sale of commodities when the  
31 quantity is determined at the time of sale.

32       ~~22-~~ 28. "Secondary standards" means the physical standards that are  
33 traceable to the reference standards through comparisons, using acceptable  
34 laboratory procedures, and that are used in the enforcement of weights and  
35 measures laws and rules.

36       ~~23-~~ 29. "Taxi" means a motor vehicle that has a seating capacity not  
37 exceeding fifteen passengers, including the driver, that is registered as a  
38 taxi in this state or any other state, that provides passenger services and  
39 that:

40           (a) Does not operate on a regular route or between specified places.

41           (b) Offers local transportation for a fare determined primarily on the  
42 basis of the distance traveled.

43       ~~24-~~ 30. "Taxi meter" means a commercial device that meets the  
44 requirements of the national institute of standards and technology handbook  
45 44 as prescribed by section 41-2064.

1       ~~25-~~ 31. "Weight" as used in connection with any commodity means net  
2 weight.

3       ~~26-~~ 32. "Weights" or "measures", or both, means all weights, measures,  
4 meters or counters of every kind, instruments and devices for weighing,  
5 measuring, metering or counting and any appliance and accessories associated  
6 with any or all such instruments and devices.

7       Sec. 3. Section 41-2083, Arizona Revised Statutes, as amended by Laws  
8 2007, chapter 292, section 8, is amended to read:

9       41-2083. Standards for motor fuel; exceptions

10       A. Except as provided in section 41-2083.01 and subsections C, D, E,  
11 F, G, K, ~~AND L, M and N~~ of this section, a retail seller or fleet owner  
12 shall not store, sell or expose or offer for sale any motor fuel, kerosene,  
13 oil or other liquid or gaseous fuel or lubricating oil, lubricant, mixtures  
14 of lubricants or other similar products if the product fails to meet the  
15 standards specified in this section and in the rules adopted by the director.

16       B. A person shall not misrepresent the nature, origination, quality,  
17 grade or identity of any product specified in subsection A of this section or  
18 represent the nature, origination, quality, grade or identity of such product  
19 in any manner calculated or tending to mislead or in any way deceive. THIS  
20 SUBSECTION DOES NOT PROHIBIT PRODUCT ORIGINATION DISCLAIMER LABELING ON THE  
21 RETAIL DISPENSER.

22       C. After consultation with the director of the department of  
23 environmental quality, the standards and test methods for motor fuels shall  
24 be established by the director of the department of weights and measures by  
25 rule.

26       D. Maximum vapor pressure for gasoline that is supplied or sold by any  
27 person and that is intended as a final product for the fueling of motor  
28 vehicles in a county with a population of one million two hundred thousand or  
29 more persons and any portion of a county contained in area A as defined in  
30 section 49-541 shall be 9.0 pounds per square inch from and after September  
31 30 through March 31 of each year. Fuel used in motor vehicles at a  
32 manufacturer's proving ground or a motor vehicle racing event as defined by  
33 section 41-2121 is exempt from this subsection.

34       E. From and after September 30 through March 31 of each year a person  
35 shall not supply or sell gasoline that exceeds the ASTM D4814 class A vapor  
36 pressure/distillation class ten volume per cent evaporated distillation  
37 temperature.

38       F. Maximum vapor pressure for gasoline that is supplied or sold by any  
39 person and that is intended as a final product for the fueling of motor  
40 vehicles in a county with a population of one million two hundred thousand  
41 persons or more and any portion of a county contained in area A as defined in  
42 section 49-541 shall be 7.0 pounds per square inch from and after May 31  
43 through September 30 of each year. Fuel used in motor vehicles at a  
44 manufacturer's proving ground or a motor vehicle racing event as defined by  
45 section 41-2121 is exempt from this subsection.

1           G. Exclusively for the purposes of transportation conformity and only  
2 if the administrator of the United States environmental protection agency  
3 fails to approve the applicable plan required pursuant to section 49-406,  
4 maximum vapor pressure for gasoline that is supplied or sold by any person  
5 and that is intended as a final product for the fueling of motor vehicles in  
6 area B as defined in section 49-541 shall be ten pounds per square inch from  
7 and after September 30 through March 31 of each year. Fuel used in motor  
8 vehicles at a manufacturer's proving ground or a motor vehicle racing event  
9 as defined by section 41-2121 is exempt from this subsection.

10           H. Notwithstanding subsections D, F and G of this section, the  
11 director of the department of weights and measures in consultation with the  
12 director of the department of environmental quality shall approve alternate  
13 fuel control measures that are submitted by manufacturers or suppliers of  
14 gasoline and that the directors determine will result in either of the  
15 following:

16           1. Motor vehicle carbon monoxide emissions that are equal to or less  
17 than emissions that result under compliance with subsection D of this section  
18 and section 41-2123. In making this determination, the director of the  
19 department of weights and measures and the director of the department of  
20 environmental quality shall compare the emissions of the alternate fuel  
21 control measure with the emissions of a fuel with a maximum vapor pressure  
22 standard as prescribed by this section and with the minimum oxygen content or  
23 percentage by volume of ethanol as prescribed by section 41-2123.

24           2. Motor vehicle non-methane hydrocarbon emissions that are equal to  
25 or less than the emissions that result under compliance with subsection F of  
26 this section. In making this determination, the director of the department  
27 of weights and measures and the director of the department of environmental  
28 quality shall compare the motor vehicle non-methane hydrocarbon emissions of  
29 the alternate fuel control measure with the motor vehicle non-methane  
30 hydrocarbon emissions of a fuel that complies with the maximum vapor pressure  
31 standard as prescribed by subsection F of this section.

32           I. Any alternate fuel control measures that are approved shall not  
33 increase emissions of non-methane hydrocarbons, particulates, carbon monoxide  
34 or oxides of nitrogen. Alternate fuel control measures approved pursuant to  
35 subsection H of this section and this subsection may be used by any  
36 manufacturer or supplier of gasoline unless the approval is rescinded more  
37 than one hundred eighty days before the first day of a gasoline control  
38 period. Manufacturers and suppliers who use an approved alternate fuel  
39 control measure shall annually submit a compliance plan to the director of  
40 the department of weights and measures no later than sixty days before the  
41 first day of a gasoline control period.

42           J. A person shall not sell or offer or expose for sale diesel fuel  
43 grade 1, 2 or 4 as defined in ASTM D975 that contains sulfur in excess of:

44           1. For low sulfur diesel fuel, five hundred parts per million by  
45 weight for use in area A as defined in section 49-541.

1           2. For ultra low sulfur diesel fuel, the amount that conforms with 40  
2 Code of Federal Regulations section 80.520(a)(1).

3           K. A person shall not sell or offer or expose for sale DIESEL FUEL OR  
4 biodiesel BLENDS ~~that is not tested or does not meet the specifications~~  
5 ~~established by ASTM D6751 or any blend of biodiesel and diesel fuel that is~~  
6 ~~not tested or does not meet the specifications established by ASTM D975 and~~  
7 ~~that contains~~ CONTAIN sulfur in excess of five hundred parts per million for  
8 use in area A as defined in section 49-541.

9           L. ~~A person that blends biodiesel that is intended as a final product~~  
10 ~~for the fueling of motor vehicles shall report to the director by the~~  
11 ~~fifteenth day of each month the quantity and quality of biodiesel shipped to~~  
12 ~~or produced in this state during the preceding month. A person who supplies~~  
13 ~~biodiesel subject to this subsection shall report the following by batch:~~

14           1. ~~The percentage of biodiesel in a final blend.~~

15           2. ~~The volume of the finished product.~~

16           3. ~~For neat biodiesel, the results of analysis for those parameters~~  
17 ~~established by ASTM D6751.~~

18           4. ~~For biodiesel blended with any diesel fuel, the results of the~~  
19 ~~analysis of the following motor fuel parameters as established by ASTM D975:~~

20           (a) ~~Sulfur content.~~

21           (b) ~~Aromatic hydrocarbon content.~~

22           (c) ~~Cetane number.~~

23           (d) ~~Specific gravity.~~

24           (e) ~~American petroleum institute gravity.~~

25           (f) ~~The temperatures at which ten per cent, fifty per cent and ninety~~  
26 ~~per cent of the diesel fuel boiled off during distillation.~~

27           M. ~~The report required by subsection L of this section shall be on a~~  
28 ~~form prescribed by the director and shall contain a certification of~~  
29 ~~truthfulness and accuracy of the data submitted and a statement of the~~  
30 ~~supplier's consent permitting the department or its authorized agent to~~  
31 ~~collect samples and access records as provided in rules adopted by the~~  
32 ~~department. A corporate officer who is responsible for operations at the~~  
33 ~~facility that produces or ships the final product shall sign the report.~~

34           N. L. EXCEPT FOR BIODIESEL BLENDS THAT CONTAIN UP TO FIVE PER CENT  
35 BIODIESEL, a person shall label dispensers at which biodiesel ~~is~~ OR BLENDS OF  
36 DIESEL FUEL AND BIODIESEL ARE dispensed in such a manner as to notify other  
37 persons of the volume percentage of biodiesel in the finished product and  
38 that conforms with 40 Code of Federal Regulations sections 80.570, 80.571,  
39 80.572, 80.573 and 80.574 to inform the customer of the sulfur content of the  
40 diesel fuel being dispensed. FOR BIODIESEL BLENDS THAT CONTAIN UP TO FIVE  
41 PER CENT BIODIESEL, THE LABEL ON THE DISPENSER SHALL STATE "MAY CONTAIN UP TO  
42 FIVE PER CENT BIODIESEL".

43           M. A PERSON SHALL PREPARE THE PRODUCT TRANSFER DOCUMENTS IN A MANNER  
44 THAT NOTIFIES THE TRANSFEREE OF ANY PERCENTAGE OF BIODIESEL IN THE FINISHED  
45 PRODUCT.

1 N. THE DIRECTOR SHALL ADOPT RULES REGARDING THE ESTABLISHMENT AND  
2 ENFORCEMENT OF ALL OF THE FOLLOWING:

3 1. NATIONAL OR FEDERAL STANDARDS FOR INDIVIDUAL BIOFUELS AND BIOFUEL  
4 BLENDS.

5 2. UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND ASTM TEST METHODS  
6 FOR INDIVIDUAL BIOFUELS AND BIOFUEL BLENDS.

7 3. REGISTRATION AND REPORTING REQUIREMENTS FOR PRODUCERS, BLENDEES AND  
8 SUPPLIERS OF BIOFUELS AND BIOFUEL BLENDS.

9 4. LABELING REQUIREMENTS FOR BIOFUELS AND BIOFUEL BLENDS OTHER THAN  
10 BIODIESEL.

11 5. QUALITY ASSURANCE AND QUALITY CONTROL PROGRAMS FOR PRODUCERS,  
12 BLENDEES AND SUPPLIERS OF BIOFUELS AND BIOFUEL BLENDS ADDRESSING RACK, BATCH  
13 OR OTHER BLENDING.

14 6. REQUIREMENTS THAT THE DISPENSING EQUIPMENT MEET APPROPRIATE  
15 UL RATINGS WHERE AVAILABLE AND APPLICABLE, THAT THE EQUIPMENT COMPLY WITH  
16 RULES ADOPTED BY THE DEPARTMENT RELATING TO APPROVAL, INSTALLATION AND SALE  
17 OF DEVICES AND THAT THE EQUIPMENT BE COMPATIBLE WITH THE PRODUCTS BEING  
18 DISPENSED.

19 O. A BIOFUELS OR BIOFUEL BLENDS PRODUCER, BLENDER, DISTRIBUTOR,  
20 SUPPLIER OR RETAIL SELLER THAT IS IN COMPLIANCE WITH THIS SECTION AND THE  
21 RULES ADOPTED PURSUANT TO THIS SECTION IS NOT LIABLE TO A CONSUMER FOR ANY  
22 INJURIES OR PROPERTY DAMAGE RELATED TO A CONSUMER WHO MISFUELS.

23 ~~Θ~~ P. A person shall label each dispenser at which ultra low sulfur  
24 diesel fuel is dispensed in a manner that conforms with 40 Code of Federal  
25 Regulations sections 80.570, 80.571, 80.572, 80.573 and 80.574 to inform the  
26 customer of the sulfur content of the diesel fuel being dispensed.

27 ~~Ρ~~ Q. A person shall label each dispenser at which low sulfur diesel  
28 fuel is dispensed in a manner that conforms with 40 Code of Federal  
29 Regulations sections 80.570, 80.571, 80.572, 80.573 and 80.574 to inform the  
30 customer of the sulfur content of the diesel fuel being dispensed.

31 ~~Θ~~ R. If any person transfers custody or title of a diesel fuel or  
32 distillate, except if the diesel fuel is dispensed into a motor vehicle or  
33 nonroad, locomotive or marine equipment, the transferor shall provide to the  
34 transferee product transfer documents that conform with 40 Code of Federal  
35 Regulations section 80.590.

36 ~~Ρ~~ S. If the transfer of a motor fuel is from a terminal, storage  
37 facility, or transmix facility, the product transfer documents shall contain  
38 the information prescribed in subsection Q of this section as well as the  
39 name and address of the final destination for the shipment, as prescribed by  
40 department rule, and must accompany the shipment to its final destination.

41 Sec. 4. Repeal

42 Section 41-2122.01, Arizona Revised Statutes, is repealed.

APPROVED BY THE GOVERNOR JUNE 6, 2008.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 6, 2008.

Passed the House February 25, 20 08

Passed the Senate April 21, 20 08

by the following vote: 43 Ayes,

by the following vote: 29 Ayes,

13 Nays, 4 Not Voting

0 Nays, 1 Not Voting

[Signature]  
Speaker of the House

[Signature]  
President of the Senate  
*Pro Tempore*

[Signature]  
Chief Clerk of the House

[Signature]  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary to the Governor

Approved this \_\_\_\_\_ day of

\_\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

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

HOUSE FINAL PASSAGE  
as per Joint Conference

Passed the House May 21, 20 08

by the following vote: 50 Ayes,

9 Nays, 1 Not Voting

[Signature]  
Speaker of the House

[Signature]  
Chief Clerk of the House

SENATE FINAL PASSAGE  
as per Joint Conference

Passed the Senate June 2, 20 08

by the following vote: 22 Ayes,

3 Nays, 5 Not Voting

[Signature]  
President of the Senate

[Signature]  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

3rd day of June, 2008

at 11:22 o'clock A. M.

[Signature]  
Secretary to the Governor

Approved this 6 day of

June 2008

at 10<sup>05</sup> o'clock A. M.

[Signature]  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 6 day of June, 2008

at 12:59 o'clock P M.

[Signature]  
Secretary of State

H.B. 2621