

1 AN ACT relating to motor fuel.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 363.904 is amended to read as follows:

- 4 (1) No article or commodity shall be sold or offered for sale and use in Kentucky as
5 motor fuel unless it conforms to the following:
- 6 (a) The motor fuel shall be labeled and posted in accordance with applicable
7 federal and state laws; and
 - 8 (b) The motor fuel shall conform to the latest ASTM specifications for that
9 particular type, class, and grade of motor fuel, except when one (1) or more of
10 the following circumstances exists:
 - 11 1. When a federal law or a federal administrative regulation imposes
12 requirements in conflict with the ASTM standard, as provided by KRS
13 363.902(3); or
 - 14 2. When the Governor determines that circumstances present, or are likely
15 to present, a disruption in motor fuel supply, the Governor or the
16 Commissioner or the secretary of the Energy and Environment Cabinet,
17 as designated by the Governor, may issue a temporary waiver of ASTM
18 specifications for motor fuel. The temporary waiver shall be effective for
19 a defined period of time and shall be the shortest practicable time period
20 necessary to permit the correction of the disruption in motor fuel
21 supplies.
- 22 (2) For gasoline containing up to **fifteen percent (15%)**~~ten percent (10%)~~ ethanol, in
23 which case the vapor pressure limit for each class shall be increased by one (1)
24 pound per square inch, and the ASTM V/L (vapor to liquid ratio) specification shall
25 be waived. Additionally, the department shall adopt a minimum temperature for
26 fifty percent (50%) distillation of gasoline containing up to **fifteen percent**
27 **(15%)**~~ten percent (10%)~~ ethanol through the promulgation of an administrative

1 regulation in accordance with KRS Chapter 13A.

2 (3) The motor fuel compliance with ASTM shall be determined in accordance with the
3 test methods prescribed in the latest ASTM publications.

4 (4) All shipments of motor fuel shall state on either the bill of lading or invoice the
5 destination of the shipment and that the shipment meets the standards and
6 specifications required in this section. The division may obtain a sample of any
7 shipment of motor fuel for testing. Motor fuel blending components shall be exempt
8 from this section until they are offered for sale as motor fuel by the refiner or
9 manufacturer.