

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

552D0288

HOUSE BILL NO. 1132

Introduced by: Representatives Nachtigal, Burg, Cerny, Chicoine, Fischer-Clemens, Haley, Hanson, Kazmerzak, Koetzle, Lockner, Lucas, McIntyre, Patterson, and Waltman and Senators Kloucek, Hutmacher, and Symens

1 FOR AN ACT ENTITLED, An Act to prohibit the use of MTBE as a gasoline oxygenate.

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

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

5 No gasoline that contains methyl tertiary butyl ether or (MTBE) as an oxygenate or in
6 combination with other oxygenates or for any other purpose may be kept, offered or exposed
7 for sale, or sold, at retail in this state. A violation of this section is a Class 1 misdemeanor.

8 Section 2. That § 37-2-30 be amended to read as follows:

9 37-2-30. Any gasoline kept, offered or exposed for sale, or sold, at retail containing two
10 percent or more by volume of any oxygenate or combination of oxygenates shall be identified
11 as "with" or "contains" the specific type of oxygenate or combination of oxygenates in the
12 gasoline. For example, the label may read "contains ethanol" or "with ~~MTBE/ETBE~~ ETBE."
13 This information shall be posted on the upper fifty percent of the dispenser front panel in a
14 position clear and conspicuous from the driver's position in a type at least one inch in height and
15 a width of type of at least one-sixteenth inch stroke.