

AN ACT

ENTITLED, An Act to regulate petroleum products containing methyl tertiary butyl ether.

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

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

No person may sell, offer for sale, or store petroleum products containing or treated with methyl tertiary butyl ether. The provisions of this section do not apply if the presence of methyl tertiary butyl ether in a petroleum product is caused solely by incidental commingling of methyl tertiary butyl ether with the petroleum product during storage or transfer of the petroleum product and the concentration of methyl tertiary butyl ether in the petroleum product does not exceed one-half of one percent by volume. In no event may the provisions of this section be construed to permit the knowing or willful addition of methyl tertiary butyl ether to any petroleum product.

Section 2. That § 37-2-32 be repealed.

Section 3. That § 37-2-16 be amended to read as follows:

37-2-16. A violation of any provision in §§ 37-2-5 to 37-2-24, inclusive, and section 1 of this Act is a Class 2 misdemeanor.

Section 4. That § 37-2-30 be amended to read as follows:

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

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I certify that the attached Act
originated in the
SENATE as Bill No. 161

Secretary of the Senate

President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 161
File No.
Chapter No.

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Received at this Executive Office
this ___ day of ___,
20___ at ___ M.

By ___
for the Governor

The attached Act is hereby
approved this ___ day of
___, A.D., 20___

Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed ___, 20___
at ___ o'clock ___ M.

Secretary of State

By ___
Asst. Secretary of State