



SPONSOR: Sen. Hocker & Rep. Gray
Sens. Ennis, Pettyjohn, Wilson; Reps. Briggs King,
Postles, D. Short, Spiegelman, Yearick

DELAWARE STATE SENATE
150th GENERAL ASSEMBLY

SENATE BILL NO. 164

AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO SALE OF FUELS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Add new Section to Title 6 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2915. Fuel Sales.

(a) This section applies to any public or private facility that:

(1) Is located in Sussex County;

(2) Offers for sale fuel for vessels; and

(3) Such fuel for vessels cannot be directly transferred by pumping into a motor vehicle that is not a vessel.

(b) Notwithstanding any other provision of law, a facility as defined in subsection (a) of this section may offer for sale:

(1) Nonoxygenated gasoline; including gasoline that does not contain ethanol; or

(2) Oxygenated gasoline, including gasoline that contains isobutanol.

(c) The Department of Agriculture shall adopt regulations necessary to administer and enforce this section.

(d) As used in this section, "vessel" means every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on the water.

Section 2. This act shall take effect 90 days after its enactment.

SYNOPSIS

This Act will allow facilities in Sussex County to sell gasoline that does not contain ethanol provided such fuel is for vessels. Sussex County comfortably meets the National Ambient Air Quality Standard for ground level ozone, and removing ethanol from marine fuel will have no significant impact on ambient ozone levels.

The State of Maryland now allows the sale of non-ethanol gasoline in certain counties that are adjacent to Sussex County. Delaware currently suffers a competitive business disadvantage by not being allowed to sell non-ethanol fuel for vessels.

Author: Senator Hocker