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Hudson, Lofink, Miro, Quillen, Stone,
Ulbrich, Wagner, Keeley, Plant; Sens.
Sorenson, Amick, Cloutier, Connor,
Copeland, Simpson

HOUSE OF REPRESENTATIVES

142nd GENERAL ASSEMBLY

HOUSE BILL NO. 249

AN ACT TO AMEND TITLE 6 AND TITLE 7 OF THE DELAWARE CODE RELATING TO METHYL TERTIARY-BUTYL ETHER.

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

1 Section 1. Amend § 2903, Title 6 of the Delaware Code, by inserting within a new sentence thereof, between the
2 phrase "Office of Retail Gasoline Sales." and the phrase "The provisions of this Section", the sentence "The retail sale or
3 use of gasoline containing more than one-half of one percent by volume of Methyl Tertiary Butyl Ether (MTBE) is
4 prohibited after January 1, 2006. Existence of de minimis traces of MTBE does not constitute a violation."

5 Section 2. Amend Chapter 29, Title 6 of the Delaware Code, by adding thereto a new section as follows:

6 "§ 2913. Methyl Tertiary-Butyl Ether.

7 No retail dealer or retail fuel outlet shall offer for retail sale or use in this State Methyl Tertiary-Butyl
8 Ether (MTBE) or any motor fuel containing more than one-half of one percent of MTBE."

9 Section 3. Amend § 7423, Title 7 of the Delaware Code, by adding thereto a new subsection as follows:

10 "(c) No person who receives a loan from the Small Station Fund shall offer for retail sale or use any motor
11 fuel in this State containing more than one-half of one percent of Methyl Tertiary-Butyl Ether (MTBE)."

12 Section 4. This Act shall become effective January 1, 2006.

SYNOPSIS

This Act effectively bans the retail sale or use of Methyl Tertiary-Butyl Ether (MTBE), or any motor fuel containing MTBE, within the State of Delaware by any retail dealer, retail fuel outlet or person who has received a Small Station Fund.

This Act goes on to prohibit any retail dealer or retail fuel outlet governed by 6 Del. C. Chapter 29 from offering for retail sale or use of MTBE, or any fuel containing MTBE in this State.

This Act then places the same prohibitions on anyone receiving funds through the Small Station Fund in 7 Del. C. Chapter 74.

This Act shall become effective January 1, 2006.