

Sixty-third
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2245

Introduced by

Senators G. Lee, Klein, Sinner

Representatives Belter, Ruby, Vigesaa

1 A BILL for an Act to provide for gasoline marketing practices.

2 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

3 **SECTION 1.**

4 **Gasoline marketing practices.**

5 A supplier or terminal operator may not inhibit a gasoline distributor from removing
6 nonoxygenated gasoline of all octanes available for blending in a refinery rack or terminal rack
7 or inhibit a gasoline distributor from being a blender, or both. Regardless of other products
8 offered, a supplier, through a marketing agreement that supplies gasoline from a terminal in this
9 state to a gasoline distributor, shall offer to supply the distributor with gasoline that has not been
10 blended with, but is suitable for blending with, fuel alcohol. A supplier may not prevent or inhibit
11 a gasoline distributor in this state from being a blender or from qualifying for any federal or state
12 tax credit offered to blenders. As used in this section:

- 13 1. "Rack" means a mechanism for delivering motor fuel from a refinery, a terminal, or a
14 bulk plant, into a transport truck, a railroad car, or other means of transfer for further
15 distribution.
- 16 2. "Terminal" means a motor fuel storage and distribution facility that has been assigned
17 a terminal control number by the internal revenue service, is supplied by pipeline or
18 marine vessel, and from which motor fuel or other petroleum products may be
19 removed at a rack.
- 20 3. "Terminal operator" means a person who owns, operates, or otherwise controls a
21 terminal.