

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