

MAINE STATE LEGISLATURE

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L.D. 1658

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Date: **3-2-12**

(Filing No. S-**413**)

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

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STATE OF MAINE

SENATE

125TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT “**A**” to S.P. 557, L.D. 1658, Bill, “An Act To Protect Gasoline Marketers from Liability for Selling Federally Mandated Gasoline”

Amend the bill by striking out the title and substituting the following:

'An Act To Protect Gasoline Marketers from Liability for Selling Federally Approved Gasoline'

Amend the bill by striking out all of section 1 and inserting the following:

'Sec. 1. 10 MRSA §1453, sub-§§1-A and 1-B are enacted to read:

1-A. Blender. "Blender" means any person other than a refiner who blends blend stock with gasoline or who sells or distributes blend stock for the purpose of being blended with gasoline.

1-B. Blend stock. "Blend stock" means ethanol, methanol or any other products blended with gasoline to produce motor fuel.

Sec. 2. 10 MRSA §1457-A is enacted to read:

§1457-A. Liability for use of ethanol-enhanced motor fuel

A distributor, blender or retail dealer is not liable for damages caused by the use of motor fuel containing more than 10% ethanol sold, consigned or distributed by that distributor, blender or retail dealer if the sale, consignment or distribution of that motor fuel is in accordance with federal law and the fuel is a transportation fuel or fuel additive that has received a waiver for introduction into interstate commerce by the Administrator of the United States Environmental Protection Agency pursuant to 42 United States Code, Section 7545(f)(4) (2011).'

SUMMARY

This amendment adds blenders of motor fuels containing more than 10% ethanol in the protection from liability from damages caused by the use of such motor fuel. It provides that the protection from liability is granted only to those distributors, blenders or

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1 retail dealers that have sold the motor fuel in accordance with federal law and the fuel
2 sold is a transportation fuel or fuel additive that has received a waiver for introduction
3 into interstate commerce by the Administrator of the United States Environmental
4 Protection Agency pursuant to 42 United States Code, Section 7545(f)(4) (2011).