

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2368
(Reference to printed bill)

1 Page 2, after line 44, insert:

2 "Sec. 2. Section 3-3493, Arizona Revised Statutes, is amended to
3 read:

4 3-3493. Area A; fuel reformulation; rules

5 A. All gasoline produced and shipped to or within this state and
6 sold or offered for sale for use in motor vehicles in a county with a
7 population of one million two hundred thousand or more persons and any
8 portion of a county contained in area A, subject to an appropriate waiver
9 granted by the administrator of the United States environmental protection
10 agency pursuant to section 211(c)(4) of the clean air act as defined in
11 section 49-401.01, shall comply with either of the following fuel
12 reformulation options:

13 1. A gasoline that meets standards for federal phase II reformulated
14 gasoline, as provided in 40 Code of Federal Regulations section 80.41,
15 paragraphs (e) through (h), in effect on January 1, 1999, except that the
16 minimum oxygen content standard does not apply. The gasoline shall also
17 meet the maximum vapor pressure requirements in section 3-3433, subsections
18 D and F.

19 2. California phase 2 reformulated gasoline, including alternative
20 formulations allowed by the predictive model, as adopted by the California
21 air resources board pursuant to California Code of Regulations title 13,
22 sections 2261 through 2262.7 and 2265, in effect on January 1, 1997, except
23 that the minimum oxygen content standard does not apply. The gasoline
24 shall also meet the maximum vapor pressure requirements in section 3-3433,
25 subsections D and F.

1 B. For the period beginning November 1 through March 31 of each
2 year, all gasoline produced and shipped to or within this state and sold or
3 offered for sale for use in motor vehicles in a county with a population of
4 one million two hundred thousand or more persons and any portion of a
5 county contained in area A, subject to an appropriate waiver granted by the
6 administrator of the United States environmental protection agency pursuant
7 to section 211(c)(4) of the clean air act as defined in section 49-401.01,
8 shall comply with standards for California phase 2 reformulated gasoline,
9 including alternative formulations allowed by the predictive model, as
10 adopted by the California air resources board pursuant to California Code
11 of Regulations title 13, sections 2261 through 2262.7 and 2265, in effect
12 on January 1, 1997 and shall meet the maximum vapor pressure requirements
13 in section 3-3433, subsections D and F. The fuel described in this
14 subsection shall meet the requirements of section 3-3492, subsection A,
15 paragraph 1 OR 2.

16 C. Any registered supplier or oxygenate blender, as defined in
17 division rules, may petition the associate director to request that all
18 registered suppliers or oxygenate blenders be allowed to comply with
19 standards other than the standards prescribed by section 3-3492,
20 subsection A if the petitioner can demonstrate that ethanol supply
21 shortages are imminent.

22 D. The petition shall:

23 1. Identify specific supply conditions that will result in a
24 shortage of ethanol.

25 2. Identify which oxygenate or oxygenates and the concentration that
26 will be blended into gasoline for sale or use in area A.

27 3. Demonstrate that the alternative oxygenate blend comes closest to
28 meeting a three and one-half percent by weight oxygen content at reasonable
29 cost, unless the registered supplier or oxygenate blender is petitioning to
30 use a gasoline-ethanol blend containing less than ten percent by volume of
31 ethanol.

1 4. Specify a time period for compliance with any provision of
2 section 3-3492, subsection A, not to exceed sixty days.

3 E. The associate director shall either grant or deny the petition in
4 writing within seven days of its receipt. Any decision by the associate
5 director to grant the petition shall be equally applicable to all
6 registered suppliers or oxygenate blenders and shall not be selectively
7 applied to any single registered supplier or oxygenate blender. The
8 petition may be granted only if the associate director verifies that the
9 basis for requesting the petition is factual.

10 F. The associate director may reauthorize a petition if the
11 petitioner can demonstrate that the conditions have continued. The
12 reauthorization of a petition shall not exceed thirty days.

13 G. The associate director of the division shall consult with the
14 director of the department of environmental quality before granting,
15 reauthorizing or denying any such petition.

16 H. The director of environmental quality in consultation with the
17 associate director of the division shall adopt by rule:

18 1. Requirements to implement subsections A, B, C and D of this
19 section.

20 2. Requirements for recordkeeping, reporting and analytical methods
21 for fuel providers to demonstrate compliance with subsections A, B, C and D
22 of this section.

23 I. This section does not apply to fuel sold for use at a motor
24 vehicle manufacturer proving ground or at a motor vehicle racing event."

25 Amend title to conform

And, as so amended, it do pass

NOEL W. CAMPBELL
CHAIRMAN

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