
A BILL FOR AN ACT

RELATING TO PETROLEUM INDUSTRY REPORTING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 486J-1, Hawaii Revised Statutes, is
2 amended by adding four new definitions to be appropriately
3 inserted and to read as follows:

4 "Bulk sales" means the wholesale sale of gasoline in
5 individual transactions which exceed the size of a truckload.

6 "Crude oil cost" refers generally to the cost of raw
7 material necessary for processing by a refinery into products.

8 "Dealer tank wagon" means the wholesale sale of gasoline
9 priced on a delivered basis to a retail outlet.

10 "Rack sales" means wholesale truckload sales or smaller of
11 gasoline where title transfers at a terminal."

12 SECTION 2. Section 486J-4.5, Hawaii Revised Statutes, is
13 amended to read as follows:

14 **"§486J-4.5 Informational cost reports[-]; publication.**

15 (a) Each refiner, on a semi-annual basis, at reporting dates as
16 the commission may establish, shall file with the commission, on
17 forms prescribed, prepared, and furnished by the commission, a



1 certified statement of operating and overhead costs for the
2 refiner's Hawaii operations that shall include but not be
3 limited to the following:

- 4 (1) Crude oil costs and sources;
- 5 (2) Other feedstock costs and sources;
- 6 (3) Refinery operating expenses;
- 7 (4) Marketing operating expenses by petroleum product;
- 8 (5) Distribution expenses by petroleum product; and
- 9 (6) Corporate overhead expenses.

10 (b) In addition to the reporting required under subsection
11 (a), each distributor shall file with the commission all
12 Securities and Exchange Commission Forms 10-K, 10-Q, annual
13 reports, quarterly reports, and earnings supplements published
14 by the distributor.

15 (c) Each distributor, except a distributor who is so
16 defined solely by criteria in paragraph (4) of that definition
17 in section 486J-1, who sells liquid fuel only at retail and is
18 not a refiner, shall file with the commission, on a semi-annual
19 basis at reporting dates as the commission may establish, on
20 forms prescribed, prepared, and furnished by the commission, a
21 certified statement of operating and overhead costs that shall
22 include the following:



1 (1) Gasoline purchases and exchanges and sources;

2 (2) Diesel purchases and exchanges and sources;

3 (3) Marketing expenses; and

4 (4) Distribution expenses.

5 (d) Each distributor shall file with the commission, on a
6 weekly basis at reporting dates as the commission may establish,
7 on forms prescribed, prepared, and furnished by the commission,
8 a certified statement that reports the average crude oil cost
9 and the average wholesale gasoline prices charged by the
10 distributor for each class of trade, including but not limited
11 to, the bulk, rack, and dealer tank wagon transactions.

12 (e) Notwithstanding any provision in this chapter to the
13 contrary, the commission shall publish weekly for each island
14 all of the information provided in the weekly certified
15 statement filed with the commission under subsections (d). The
16 information shall be categorized by:

17 (1) Island of distribution; and

18 (2) Distributor.

19 (f) The commission shall publish weekly the average retail
20 price of gasoline for each island, as available, as reported by
21 the American Automobile Association or other industry source."



1 SECTION 3. If any provision of this Act, or the
2 application thereof to any person or circumstance is held
3 invalid or is suspended by a court of competent jurisdiction,
4 the invalidity or suspension shall not affect other provisions
5 or applications of the Act, which can be given effect without
6 the invalid or suspended provision or application, and to this
7 end the provisions of this Act are severable.

8 SECTION 4. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 5. This Act shall take effect on July 1, 2008.



Report Title:

Petroleum Industry Reporting

Description:

Clarifies the reporting and publishing requirements of the public utilities commission to more accurately reflect the information reported by oil producers, refiners, marketers, oil transporters, oil storers, and oil retailers. (SD1)

