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## A BILL FOR AN ACT

RELATING TO ETHANOL.

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

1           SECTION 1.   Section 486J-10, Hawaii Revised Statutes, is  
2 repealed.

3           ~~["§486J-10 Ethanol content requirement. (a) The director~~  
4 ~~shall adopt rules in accordance with chapter 91 to require that~~  
5 ~~gasoline sold in the State for use in motor vehicles contain ten~~  
6 ~~per cent ethanol by volume. The amounts of gasoline sold in the~~  
7 ~~State containing ten per cent ethanol shall be in accordance~~  
8 ~~with rules as the director may deem appropriate. The director~~  
9 ~~may authorize the sale of gasoline that does not meet these~~  
10 ~~requirements as provided in subsection (d).~~

11           ~~(b) Gasoline blended with an ethanol based product, such~~  
12 ~~as ethyl tertiary butyl ether, shall be considered to be in~~  
13 ~~conformance with this section if the quantity of ethanol used in~~  
14 ~~the manufacture of the ethanol based product represents ten per~~  
15 ~~cent, by volume, of the finished motor fuel.~~

16           ~~(c) Ethanol used in the manufacture of ethanol based~~  
17 ~~gasoline additives, such as ethyl tertiary butyl ether, may be~~  
18 ~~considered to contribute to the distributor's conformance with~~



1 ~~this section; provided that the total quantity of ethanol used~~  
2 ~~by the distributor is an amount equal to or greater than the~~  
3 ~~amount of ethanol required under this section.~~

4 ~~(d) The director may authorize the sale of gasoline that~~  
5 ~~does not meet the provisions of this section.~~

6 ~~(1) To the extent that sufficient quantities of~~  
7 ~~competitively priced ethanol are not available to meet~~  
8 ~~the minimum requirements of this section; or~~

9 ~~(2) In the event of any other circumstances for which the~~  
10 ~~director determines compliance with this section would~~  
11 ~~cause undue hardship.~~

12 ~~(e) Each distributor, at reporting dates as the director~~  
13 ~~may establish, shall file with the director, on forms~~  
14 ~~prescribed, prepared, and furnished by the director, a certified~~  
15 ~~statement showing:~~

16 ~~(1) The price and amount of ethanol available;~~

17 ~~(2) The amount of ethanol blended fuel sold by the~~  
18 ~~distributor;~~

19 ~~(3) The amount of non ethanol blended gasoline sold by the~~  
20 ~~distributor; and~~

21 ~~(4) Any other information the director shall require for~~  
22 ~~the purposes of compliance with this section.~~



1 ~~(f) Provisions with respect to confidentiality of~~  
2 ~~information shall be the same as provided in section 486J-6.~~

3 ~~(g) Any distributor or any other person violating the~~  
4 ~~requirements of this section shall be subject to a fine of not~~  
5 ~~less than \$2 per gallon of nonconforming fuel, up to a maximum~~  
6 ~~of \$10,000 per infraction.~~

7 ~~(h) The director, in accordance with chapter 91, shall~~  
8 ~~adopt rules for the administration and enforcement of this~~  
9 ~~section." ]~~

10 SECTION 2. Statutory material to be repealed is bracketed  
11 and stricken.

12 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

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**Report Title:**

Ethanol

**Description:**

Repeals the requirement for gasoline sold in the State to contain 10% ethanol.

