

JAN 20 2012

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2 repealed.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 ~~(c) 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: J. Klani Eghsh

Handwritten signatures and names:
- *Amal & Bah*
- *Jim*
- *Michelle Kadani*
- *David Y. J.*
- *Will Eyo*
- *John J. Gan*
- *Erzann Chun Akhmal*
- *Amal & Bah*
- *Amal & Bah*

S.B. NO. 2339

Report Title:

Ethanol; Content Requirement

Description:

Repeals the requirement that gasoline contain 10% ethanol.

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