

FIRST REGULAR SESSION

SENATE BILL NO. 411

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CLEMENS.

Read 1st time January 31, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

1678S.011

AN ACT

To amend chapter 416, RSMo, by adding thereto one new section relating to motor fuels franchise contracts in regard to alternative motor fuels, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 416, RSMo, is amended by adding thereto one new section, to be known as section 416.622, to read as follows:

416.622. 1. No provision of a motor fuels franchise contract entered into after August 28, 2007, shall:

(1) Prohibit a retailer from purchasing or selling any of the alternative motor fuels set forth in subsection 4 of this section from or to any person other than the distributor;

(2) Limit the quantity of alternative motor fuel to be purchased from any person other than the distributor; or

(3) Directly or indirectly discourage a retailer from purchasing or selling alternative motor fuels from or to any person other than the distributor.

2. Nothing contained in this section shall grant to any retailer any rights, authority, or obligation with respect to the permissible uses of the premises or facilities owned, leased, or controlled by a distributor pursuant to the terms of the franchise.

3. Any person who is a distributor, or an officer, agent, or employee of a distributor, who threatens, harasses, coerces, or attempts to coerce a retailer for the purpose of compelling such retailer to refrain from purchasing or selling alternative motor fuel from or to a person other than the distributor shall be in violation of this section and shall be subject to a fine of up to one thousand dollars per

21 violation.

22 4. For the purposes of this section, the term "alternative motor
23 fuel" shall mean any of the following:

24 (1) A blend of eighty-five percent ethanol and fifteen percent
25 gasoline, commonly referred to as E-85, as defined in ASTM Standard
26 D-5798 or its subsequent standard specifications for a fuel blend
27 seventy-five to eighty-five percent volume percent denatured fuel
28 ethanol and twenty-five to fifteen additional volume percent
29 hydrocarbons for use in ground vehicles with automotive spark
30 ignitions; or

31 (2) A blend of at least two percent methyl-ester, commonly
32 referred to as "biodiesel" fuel, as defined in ASTM Standard D-6751 or
33 its subsequent standard specifications for biodiesel fuel (B100) blend
34 stock for distillate fuels, and diesel motor fuel.

✓

Bill

Copy