

Act No. 231  
Public Acts of 1993  
Approved by the Governor  
November 13, 1993  
Filed with the Secretary of State  
November 13, 1993

**STATE OF MICHIGAN  
87TH LEGISLATURE  
REGULAR SESSION OF 1993**

Introduced by Reps. Alley, Middaugh, Brown and Gnodtke

**ENROLLED HOUSE BILL No. 4898**

AN ACT to amend section 3 of Act No. 44 of the Public Acts of 1984, entitled "An act to provide purity and quality standards for motor fuels; to regulate the transfer, sale, dispensing, or offering motor fuels for sale; to provide for an inspection and testing program; to provide for the powers and duties of certain state agencies; to provide for the licensing of certain persons engaged in the transfer, sale, dispensing, or offering of motor fuels for sale; to provide for fees; and to provide fines and penalties," as amended by Act No. 84 of the Public Acts of 1988, being section 290.643 of the Michigan Compiled Laws; and to add section 10d.

*The People of the State of Michigan enact:*

Section 1. Section 3 of Act No. 44 of the Public Acts of 1984, as amended by Act No. 84 of the Public Acts of 1988, being section 290.643 of the Michigan Compiled Laws, is amended and section 10d is added to read as follows:

Sec. 3. (1) The director shall establish standards pursuant to this act to ensure the purity and quality of gasoline sold or offered for sale in this state.

(2) The director shall establish standards for the amount and type of additives allowed to be included in gasoline.

(3) The director shall establish standards for the grading of gasoline, including, but not limited to, leaded subregular with a minimum 87 AKI, leaded regular with a minimum 89 AKI, leaded premium with a minimum 93 AKI, unleaded subregular with a minimum 85 AKI, unleaded regular with a minimum 87 AKI and a minimum 82 MON, unleaded midgrade 88 with a minimum 88 AKI and minimum 82 MON, unleaded midgrade 89 with a minimum 89 AKI and a minimum 83 MON, unleaded premium with a minimum 90 AKI, and grades for alcohol fuels. Leaded gasoline with a 94 AKI or more, and unleaded gasoline with a 91 AKI or more, may be offered for sale labeled with the minimum AKI number if the gasoline has been listed with and approved by the department. The leaded gasoline with 94 AKI or more shall be labeled as leaded premium followed by the approved AKI number, and the unleaded gasoline with 91 AKI or more shall be labeled unleaded premium followed by the approved AKI number.

(4) The director shall establish standards for Reid vapor pressure as specified by the American society for testing and materials, except as otherwise required to conform to federal or state law. The director shall establish the Reid vapor pressure as 9.0 pounds per square inch (psi) for retail outlets during the period beginning June 1 through September 15 of each year, except for dispensing facilities where the director shall establish the Reid vapor pressure as 7.8 psi in the year 1996 and thereafter. As used in this subsection and section-10d, "Reid vapor pressure" means the vapor pressure of gasoline or gasoline oxygenate blend as determined by ASTM test method D323, standard test method for vapor pressure of petroleum products (Reid method) or test method D4953, standard test method for vapor pressure of gasoline and gasoline oxygenate blends (dry method).

(5) In establishing additive and grading standards the director shall adopt the latest standards for gasoline established by the American society for testing and materials and shall adopt the latest standards for gasoline established by federal law or regulation. The standards established by the director shall not prohibit a gasoline blend that is permitted by a valid waiver granted by the United States environmental protection agency pursuant to the fuel or fuel additive waiver in section 211(f)(4) of part A of title II of the clean air act, chapter 360, 81 Stat. 502, 42 U.S.C. 7545, and the ethanol waiver of 1.0 psi in section 211(h)(4) of part A of title II of the clean air act, chapter 360, 81 Stat. 502, 42 U.S.C. 7545, if the gasoline blend meets all of the conditions set forth in the waiver.

(6) Standards established pursuant to this section shall be by rules promulgated pursuant to the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, being sections 24.201 to 24.328 of the Michigan Compiled Laws.

Sec. 10d. Any area of the state that is formally redesignated by the E.P.A. as an attainment area for ozone in accordance with the requirements of the E.P.A. and section 107(d)(3)(D) of part A of title I of the clean air act, chapter 360, 84 Stat. 1678, 42 U.S.C. 7407, and has demonstrated maintenance of the standards without the Reid vapor pressure requirement of 7.8 psi for dispensing facilities during the period beginning June 1 through September 15 of each year is exempt from that requirement of sections 9a to 9g, 9i, and 9j. However, the director retains the authority to implement the Reid vapor pressure 7.8 psi requirement for dispensing facilities as a contingency measure in any such formally redesignated area consistent with the redesignation request as approved by the E.P.A. and the requirements of the clean air act.

This act is ordered to take immediate effect.

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Co-Clerk of the House of Representatives.

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Secretary of the Senate.

Approved \_\_\_\_\_

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Governor.