

HB 3051-1  
(LC 2444)  
5/14/21 (HE/ps)

Requested by JOINT COMMITTEE ON TRANSPORTATION (at the request of State Department  
of Agriculture)

**PROPOSED AMENDMENTS TO  
HOUSE BILL 3051**

1 In line 2 of the printed bill, after “transportation” insert “; amending ORS  
2 646.913”.

3 Delete lines 4 through 11 and insert:

4 **“SECTION 1.** ORS 646.913 is amended to read:

5 “646.913. (1) Except as provided in subsection (4) of this section, a  
6 wholesale dealer, retail dealer or nonretail dealer may not sell gasoline or  
7 offer gasoline for sale unless the gasoline contains **at least** 10 percent de-  
8 natured fuel ethanol by volume. Gasoline that contains anhydrous ethanol  
9 in concentrations [*between 9.2 percent and 10 percent*] **of at least 9.2 percent**  
10 by volume complies with the requirement set forth in this subsection.

11 “(2) The State Department of Agriculture shall adopt standards for gaso-  
12 line blended with ethanol that is sold in this state. The standards that the  
13 department adopts shall require that the gasoline blended with ethanol:

14 “(a) Contains ethanol that is derived from agricultural or woody waste  
15 or residue;

16 “(b) Complies with the volatility requirements specified in 40 C.F.R. part  
17 80;

18 “(c) Complies with ASTM International specification D 4814, Standard  
19 Specification for Automotive Spark-Ignition Engine Fuel;

20 “(d) Is not blended with casinghead gasoline, absorption gasoline, drip  
21 gasoline or natural gasoline after the gasoline has been sold, transferred or

1 otherwise removed from a refinery or terminal; and

2 “(e) Contains denatured fuel ethanol that complies with ASTM Interna-  
3 tional specification D 4806, Standard Specification for Denatured Fuel  
4 Ethanol for Blending with Gasolines for Use as Automotive Spark-Ignition  
5 Engine Fuel.

6 “(3) The department may review specifications adopted by ASTM Inter-  
7 national, or equivalent organizations, and federal regulations and revise the  
8 standards adopted under this section as necessary.

9 “(4) A wholesale dealer, retail dealer or nonretail dealer may sell or offer  
10 for sale gasoline that is not blended with ethanol if the gasoline has an  
11 octane rating, as defined in ORS 646.945, of 91 or above or if the gasoline is  
12 for use in:

13 “(a) An aircraft:

14 “(A) With a supplemental type certificate approved by the Federal Avi-  
15 ation Administration that allows the aircraft to use gasoline that is intended  
16 for use in motor vehicles; or

17 “(B) Issued a type certificate by an aircraft engine manufacturer that al-  
18 lows the aircraft to use gasoline that is intended for use in motor vehicles;

19 “(b) An aircraft that has been issued an experimental certificate, as de-  
20 scribed in 14 C.F.R. 21.191, by the Federal Aviation Administration and for  
21 which the manufacturer’s specifications require the use of gasoline that is  
22 intended for use in motor vehicles;

23 “(c) A light-sport aircraft, as defined in 14 C.F.R. 1.1, for which the  
24 manufacturer’s specifications require the use of gasoline that is intended for  
25 use in motor vehicles;

26 “(d) A vintage aircraft, as defined by the Oregon Department of Aviation  
27 by rule, for which the manufacturer’s specifications require the use of gaso-  
28 line that is intended for use in motor vehicles;

29 “(e) An antique vehicle, as defined in ORS 801.125;

30 “(f) A Class I all-terrain vehicle, as defined in ORS 801.190;

- 1       “(g) A Class III all-terrain vehicle, as defined in ORS 801.194;  
2       “(h) A Class IV all-terrain vehicle, as defined in ORS 801.194 (2);  
3       “(i) A racing activity vehicle, as defined in ORS 801.404;  
4       “(j) A snowmobile, as defined in ORS 801.490;  
5       “(k) Tools, including but not limited to lawn mowers, leaf blowers and  
6 chain saws; or  
7       “(L) A watercraft.”.

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