

---

HOUSE BILL 2721

---

State of Washington

52nd Legislature

1992 Regular Session

By Representatives Nealey, Grant, McLean, Chandler, Bray, Mitchell,  
Ludwig and D. Sommers

Read first time 01/24/92. Referred to Committee on Energy & Utilities.

1 AN ACT Relating to ethanol motor fuels; adding a new chapter to  
2 Title 46 RCW; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The purpose of this act is to enhance  
5 the energy security of the United States, improve the environment, and  
6 expand markets for agricultural commodities by providing for the  
7 increased use of motor fuel blended with ethanol.

8 NEW SECTION. **Sec. 2.** (1) In any calendar year beginning with  
9 calendar year 1993, the total quantity of motor fuel sold annually in  
10 commerce in the state of Washington by wholesale distributors shall  
11 contain, on the average, not less than the percentage of ethanol by  
12 volume set forth for the calendar year shown in the following table:

1	CALENDAR YEAR	Percentage of ethanol in motor fuel by volume
2	1993	1.0
3	1994	1.5
4	1995	2.5
5	1996	3.5
6	1997 and thereafter	5.0

9           (2) (a) The percentage of ethanol in motor fuel sold by a wholesale  
10 distributor shall be determined by measuring the ethanol content by  
11 volume of the motor fuel sold by the wholesale distributor as may be  
12 modified in accordance with (b) of this subsection.

13           (b) If a wholesale distributor sells motor fuel with an ethanol  
14 content that is in excess of the content required by subsection (1) of  
15 this section, another wholesale distributor may arrange, in accordance  
16 with rules adopted by the department of licensing, with such wholesale  
17 distributor to have all or part of the excess ethanol credited to such  
18 other wholesale distributor in such a manner that the other wholesale  
19 distributor shall be considered to have sold the excess ethanol.

20           (3) Each wholesale distributor of motor fuel shall report to the  
21 department of licensing the amount of ethanol contained in the motor  
22 fuel sold by the distributor in the calendar year. The amount shall be  
23 expressed as a percentage of total sales. The report shall be made  
24 within thirty days of the expiration of the calendar year.

25           A wholesale distributor who arranges under subsection (2)(b) of  
26 this section to have part of its excess ethanol credited to another  
27 wholesale distributor shall report to the department of licensing the  
28 amount credited to each other wholesale distributor and the identity of  
29 the other wholesale distributors who entered into such arrangement.

1 Such report shall be made within thirty days of the expiration of the  
2 calendar year.

3 A wholesale distributor who arranges under subsection (2)(b) of  
4 this section to have part of the excess ethanol of another wholesale  
5 distributor credited to its sales of ethanol shall report to the  
6 department of licensing the amount credited to its sales and the  
7 identity of the wholesale distributors with which it entered into such  
8 arrangement. Such report shall be made within thirty days of the  
9 expiration of the calendar year.

10 NEW SECTION. **Sec. 3.** Each wholesale distributor who does not  
11 meet the requirements of section 2(1) of this act shall pay a civil  
12 penalty of not more than one dollar for each gallon of motor fuel that  
13 does not comply with such requirement. The civil penalty shall be  
14 assessed by the director of licensing in accordance with chapter 34.05  
15 RCW.

16 NEW SECTION. **Sec. 4.** The department of agriculture shall  
17 establish a program to promote the development and use of ethanol in  
18 motor fuel. The program shall include efforts to inform the public of  
19 the benefits of increasing the use of ethanol in motor fuel.

20 NEW SECTION. **Sec. 5.** Unless the context clearly requires  
21 otherwise, the definitions in this section apply throughout this  
22 chapter:

23 (1) "Ethanol" means any ethyl alcohol that is suitable for use by  
24 itself or in combination with other fuels as a motor fuel, except that  
25 it does not include ethanol produced from petroleum or natural gas; and

1           (2) "Motor fuel" means any substance suitable as a fuel for self-  
2 propelled vehicles designed primarily for use on public streets, roads,  
3 and highways.

4           NEW SECTION.   **Sec. 6.**           Sections 2 through 5 of this act  
5 constitute a new chapter in Title 46 RCW.