

**SENATE BILL NO. 2245**

Introduced by

Senators G. Lee, Klein, Sinner

Representatives Belter, Ruby, Vigesaa

1 A BILL for an Act to provide for gasoline marketing practices.

2 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

3 **SECTION 1.**

4 **Gasoline marketing practices.**

5 A supplier or terminal operator may not inhibit a gasoline distributor ~~in~~from removing  
6 nonoxygenated gasoline of ~~any octane from~~all octanes available for blending in a refinery rack  
7 or terminal rack ~~which inhibits~~or inhibit a gasoline distributor from being a blender, or both.

8 Regardless of other products offered, a supplier, through a marketing agreement that supplies  
9 gasoline from a terminal in this state to a gasoline distributor, shall offer to supply the distributor  
10 with gasoline that has not been blended with, but is suitable for blending with, fuel alcohol. A  
11 supplier may not prevent or inhibit a gasoline distributor in this state from being a blender or  
12 from qualifying for any federal or state tax credit offered to blenders. As used in this section:

13 1. "Rack" means a mechanism for delivering motor fuel from a refinery, a terminal, or a  
14 bulk plant, into a transport truck, a railroad car, or other means of transfer for further  
15 distribution.

16 2. "Terminal" means a motor fuel storage and distribution facility that has been assigned  
17 a terminal control number by the internal revenue service, is supplied by pipeline or  
18 marine vessel, and from which motor fuel or other petroleum products may be  
19 removed at a rack.

20 3. "Terminal operator" means a person who owns, operates, or otherwise controls a  
21 terminal.