

**CHAPTER 17-08**  
**BIODIESEL BLENDER PUMP INCENTIVES**  
**CHAPTER 17-08**

**17-08-01. (Effective through November 30, 2010) Definitions.** For purposes of this chapter, unless the context otherwise requires:

1. "Biodiesel" means any non-petroleum-based diesel fuel made from a renewable resource such as vegetable oil or animal fat.
2. "E85 fuel" means a petroleum product that:
  - a. Is a blend of agriculturally derived denatured ethanol and gasoline or natural gasoline;
  - b. Typically contains eighty-five percent ethanol by volume but must at a minimum contain sixty percent ethanol by volume; and
  - c. Complies with the American society for testing materials specification D 5798-96.
3. "Motor fuel retailer" means a person that acquires motor vehicle fuel from a supplier or distributor for resale to a consumer at a retail location.
4. "Retail location" means a site at which motor vehicle fuel is dispensed through a pump from an underground or aboveground storage tank into the supply tank of a motor vehicle.

**17-08-02. (Effective through November 30, 2010) Biofuel blender pump incentive fund - Administration.**

1. The department of commerce shall administer the biofuel blender pump incentive fund and use moneys in the fund to provide cost-share grants of up to five thousand dollars per pump to motor fuel retailers for the installation of biofuel blender pumps and associated equipment at retail locations.
2. In determining eligibility for grant funds, the department shall establish by rule criteria governing:
  - a. The verification of costs for biofuel blender pumps and associated equipment;
  - b. The eligibility of grant recipients;
  - c. The application and grant award procedure; and
  - d. Reporting and accountability procedures for grant recipients.
3. The amount of incentives payable to any retail location under this chapter may not exceed two percent of the total amount appropriated or transferred to the biofuel blender pump incentive fund.

**17-08-03. (Effective through November 30, 2010) Blender pumps - Requirements.**

1. To qualify for a grant under this chapter, a retailer must install an ethanol blender pump and an associated storage and piping system. The pump must be the type that:

- a. Dispenses at retail a blend of gasoline and ethanol in the ratio selected by the purchaser;
  - b. Is manufactured to an industry standard and carries a warranty for compatibility with dispenser components and storage and piping systems;
  - c. Has at least four hoses and dispenses the following:
    - (1) Either a blend of ten percent ethanol or the minimum blend percentage approved for all vehicles by the United States environmental protection agency;
    - (2) A blend of at least twenty percent ethanol; and
    - (3) E85 fuel; and
  - d. Complies with all alternative fuel, biofuel, and flexible fuel requirements established by law.
2. In order to qualify for a grant under this chapter, a retailer must install a biodiesel blender pump that:
    - a. Dispenses at retail varying blends of biodiesel and mineral diesel in the ratio selected by the purchaser; and
    - b. Complies with all alternative fuel, biofuel, and flexible fuel requirements established by law.

**17-08-04. (Effective through November 30, 2010) Biofuel blender pump incentive fund - Administrative costs.** The department may use up to five percent of any amount appropriated to the biofuel blender pump incentive fund for administration, the dissemination of information regarding the biofuel blender pump incentive program, and the dissemination of information regarding the benefits of biofuels.