

# HOUSE BILL No. 4740

June 8, 2017, Introduced by Reps. Johnson, Miller, Reilly, Pagel and Brann and referred to the Committee on Natural Resources.

A bill to provide for the labeling of certain portable fuel containers as made in Michigan; and to make findings that, under certain circumstances, portable fuel containers have not entered or substantially affected interstate commerce.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1. As used in this act:

2           (a) "Generic or insignificant parts" means parts that are  
3           minor components or have manufacturing or consumer product  
4           applications other than the production of portable fuel containers  
5           and includes, but is not limited to, steel and plastic.

6           (b) "Manufactured" means created from basic materials for  
7           functional usefulness, including, but not limited to, forging,  
8           casting, machining, molding, stamping, or other processes for  
9           working materials.

1 (c) "Portable fuel container" means that term as defined in 40  
2 CFR 59.680.

3 Sec. 2. The legislature finds all of the following:

4 (a) A portable fuel container that is manufactured in this  
5 state without the inclusion of parts, other than generic or  
6 insignificant parts, imported from outside of this state and that  
7 remains within this state has not entered into interstate commerce  
8 and is not subject to congressional authority to regulate  
9 interstate commerce.

10 (b) Basic materials, such as unmachined and unshaped steel and  
11 plastic, are not portable fuel containers and are not subject to  
12 congressional authority to regulate portable fuel containers in  
13 interstate commerce as if the basic materials were actually  
14 portable fuel containers.

15 (c) Congressional authority to regulate interstate commerce in  
16 basic materials does not include authority to regulate portable  
17 fuel containers manufactured in this state from those basic  
18 materials.

19 Sec. 3. A portable fuel container manufactured in this state  
20 without the inclusion of parts, other than generic or insignificant  
21 parts, imported from outside of this state, may have the words  
22 "made in Michigan" clearly stamped, engraved, or otherwise clearly  
23 indicated on a central part as evidence that, if the portable fuel  
24 container remains in this state, it has not entered or  
25 substantially affected interstate commerce.

26 Enacting section 1. This act takes effect 90 days after the  
27 date it is enacted into law.