

MOTOR FUELS QUALITY ACT (EXCERPT)
Act 44 of 1984

290.644 Transferring, selling, dispensing, or offering gasoline for sale; posting notice on pump dispensing gasoline; contents and design of notice; exception; rule to contain design for uniform notice; violation; liability; disposition of civil fine; applicability of subsection (1).

Sec. 4.

(1) A retail dealer shall not transfer, sell, dispense, or offer gasoline for sale in this state unless the pump dispensing the gasoline is posted with a notice, as provided in subsection (2), that indicates the grade of gasoline and the additives in the gasoline that are dispensed from the pump. If the gasoline contains at least 1% alcohol by volume, the notice shall state: "Contains (indicate the type of alcohol such as methanol, and if methanol the label shall state "alcohol: methanol", followed, in the same size type, by the concentration to the nearest whole percent)". If the gasoline contains alcohols or ethers that have a molecular weight greater than ethanol and are not mixed with methanol, those alcohols or ethers are not subject to the notice requirement of this section. Gasoline that contains 10% or less ethanol is not subject to the notice requirement of this section.

(2) The director shall design a uniform means of providing the notice required by subsection (1). The notice shall be designed in such a manner that the consumer can readily identify the grade of gasoline and the additives in the gasoline. The notice shall include a statement indicating that the gasoline dispensed from the pump meets the quality and purity standards established by the laws of this state and indicating the number of the 24-hour toll free consumer hot line maintained pursuant to section 7(2).

(3) The director shall include the design for the uniform notice required by this section in a rule promulgated under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(4) A person who violates this section or rules promulgated pursuant to this section is liable for a civil fine not to exceed \$1,000.00 for each day of the continuance of the violation. A civil fine ordered pursuant to this section shall be submitted to the state treasurer for deposit in the gasoline inspection and testing fund created by section 8.

(5) Subsection (1) shall not apply until 90 days after the rule required by subsection (3) is promulgated.

History: 1984, Act 44, Eff. Mar. 29, 1985 ;-- Am. 1986, Act 127, Eff. Aug. 1, 1986 ;-- Am. 2003, Act 116, Eff. Jan. 1, 2004

Compiler's Notes: The rule required by subsection (3) was promulgated June 23, 1987, and took effect September 22, 1987, 90 days later. See R 285.562.1 et seq. of the Michigan Administrative Code. Enacting section 1 of Act 116 of 2003 provides: "Enacting section 1. This amendatory act shall not take effect until January 1, 2004, or until the energy policy act of 2003, or the safe, accountable, flexible, and efficient transportation equity act of 2003 is passed by the 108th Congress, whichever comes first." For transfer of powers and duties relating to purity and quality standards for biofuels from department of energy, labor, and economic growth to department of agriculture, see E.R.O. No. 2009-4, compiled at MCL 445.2026.