

115TH CONGRESS
2D SESSION

H. R. 5855

To require the Administrator of the Environmental Protection Agency to revise labeling requirements for fuel pumps that dispense E15, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 16, 2018

Mr. AUSTIN SCOTT of Georgia (for himself and Ms. FRANKEL of Florida) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require the Administrator of the Environmental Protection Agency to revise labeling requirements for fuel pumps that dispense E15, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Consumer Protection
5 and Fuel Transparency Act of 2018”.

6 **SEC. 2. E15 FUEL DISPENSER LABELING.**

7 (a) E15 FUEL DISPENSER LABELING RULE.—

8 (1) REVISION OF RULE.—Not later than 180
9 days after the date of enactment of this Act, the Ad-

1 administrator shall revise the labeling requirements for
2 fuel pumps that dispense E15, including by revising
3 the rule described in paragraph (3) with respect to
4 such requirements.

5 (2) INPUT AND REQUIREMENTS FOR LABEL.—

6 In revising the labeling requirements for fuel pumps
7 that dispense E15 under paragraph (1), the Admin-
8 istrator shall—

9 (A) solicit input from—

10 (i) industries that manufacture vehi-
11 cles, engines, and equipment that are pro-
12 hibited from using E15, including boats,
13 lawnmowers, chainsaws, motorcycles, snow-
14 mobiles, and pre-2001 model year vehicles;

15 (ii) consumer groups that represent
16 users of such vehicles, engines, and equip-
17 ment; and

18 (iii) any other party that the Adminis-
19 trator determines may be impacted by such
20 labeling requirements;

21 (B) require that the label for fuel pumps
22 that dispense E15—

23 (i) include the word “WARNING”;

24 (ii) include the words “Check your
25 owner’s manual”;

1 (iii) be 5×7 inches or larger;

2 (iv) include—

3 (I) indicators with respect to ve-
4 hicles, engines, and equipment that
5 are prohibited from using E15, in-
6 cluding—

7 (aa) pictograms depicting a
8 boat, lawnmower, chainsaw, mo-
9 torcycle, and snowmobile; and

10 (bb) warnings with respect
11 to pre-2001 model year vehicles;
12 and

13 (II) other indicators developed by
14 the Administrator, in consultation
15 with the American National Stand-
16 ards Institute and the Federal Trade
17 Commission; and

18 (v) be focus group tested to ensure ef-
19 fectiveness; and

20 (C) with respect to blender pumps, in addi-
21 tion to the requirements under subparagraph
22 (B), with input from industries, the Federal
23 Trade Commission, and the American National
24 Standards Institute, require an additional warn-
25 ing label on each such blender pump to warn

1 consumers of the residual gasoline left in gaso-
2 line pump hoses from the previous individual
3 dispensing.

4 (3) RULE DESCRIBED.—The rule described in
5 this paragraph is the final rule titled “Regulation To
6 Mitigate the Misfueling of Vehicles and Engines
7 With Gasoline Containing Greater Than Ten Volume
8 Percent Ethanol and Modifications to the Reformu-
9 lated and Conventional Gasoline Programs” pub-
10 lished in the Federal Register on July 25, 2011 (76
11 Fed. Reg. 44406 et seq.).

12 (b) PUBLIC EDUCATION.—Not later than 180 days
13 after the date of enactment of this Act, the Administrator,
14 in consultation with affected industries, shall develop and
15 commence a public education campaign—

16 (1) to inform the public regarding—

17 (A) the risks associated with the improper
18 use of E15; and

19 (B) the vehicles, engines, and equipment
20 that are prohibited from using E15, including
21 boats, lawnmowers, chainsaws, motorcycles,
22 snowmobiles, and pre-2001 model year vehicles;
23 and

24 (2) that includes, with respect to an existing
25 fuel pump that displays electronic messages, develop-

1 ment of an electronic message inquiring if a con-
2 sumer is aware that E15 is so prohibited, to be dis-
3 played on such fuel pump prior to E15 dispensing
4 from such fuel pump.

5 (c) REPORT.—Not later than 1 year after the date
6 of enactment of this Act, the Administrator shall submit
7 to Congress a report on the public education campaign
8 commenced under subsection (b), including data and
9 metrics on consumer awareness of E15.

10 (d) REGISTRATION ENTITIES EDUCATION.—The Ad-
11 ministrator, in collaboration with State entities responsible
12 for boat registration, shall distribute, at the time of initial
13 registration of a boat and at the time of the renewal of
14 a registration for such boat, educational materials on E15
15 and its impact on marine engines.

16 (e) DEFINITIONS.—In this section:

17 (1) ADMINISTRATOR.—The term “Adminis-
18 trator” means the Administrator of the Environ-
19 mental Protection Agency.

20 (2) BLENDER PUMP.—The term “blender
21 pump” means a fuel pump that may dispense mul-
22 tiple blends of fuel, including E15.

23 (3) E15.—The term “E15” means gasoline
24 containing 15 percent ethanol by volume.

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