

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4  
5 By: Representative Jett  
6

# A Bill

HOUSE BILL 1654

## For An Act To Be Entitled

8 AN ACT TO CLARIFY THE LAW CONCERNING THE ENGINE FUELS  
9 AUTHORIZED TO BE TESTED BY THE STATE PETROLEUM  
10 PRODUCTS DIVISION; AND FOR OTHER PURPOSES.  
11

## Subtitle

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14 TO CLARIFY THE LAW CONCERNING THE ENGINE  
15 FUELS AUTHORIZED TO BE TESTED BY THE  
16 STATE PETROLEUM PRODUCTS DIVISION.  
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18  
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 4-108-205(b), concerning the general duties  
22 and powers of the State Petroleum Products Division, is amended to read as  
23 follows:

24 (b) The board shall have the authority to:

25 (1)~~(A)~~ Enforce and administer all the provisions of this  
26 subchapter by inspections, analyses, and other appropriate actions;

27 ~~(B)(i)(2)(A)(i)~~ Have access during normal business hours  
28 to all places where engine fuels, petroleum products, and automotive  
29 lubricants are kept, transferred, offered, exposed for sale, or sold for the  
30 purpose of examination, inspection, taking of samples, and investigation.

31 (ii) As used in subdivision (b)(2)(A)(i) of this  
32 section, "engine fuels" does not include aviation fuel.

33 ~~(ii)(B)~~ If such access shall be refused a  
34 representative of the board is denied access by the owner or agent or other  
35 persons leasing the ~~same~~ place where engine fuels, petroleum products, or  
36 automotive lubricants are kept, transferred, offered, exposed for sale, or



1 sold for the purpose of examination, inspection, taking of samples, and  
 2 investigation, the ~~director~~ Director of the State Plant Board may obtain an  
 3 administrative search warrant from a court of competent jurisdiction;

4 ~~(C)(3)(A)~~ Collect, or cause to be collected, samples of  
 5 engine fuels, petroleum products, and automotive lubricants marketed in this  
 6 state, and cause ~~such~~ the samples to be tested or analyzed for compliance  
 7 with the provisions of this subchapter~~;~~.

8 (B) As used in subdivision (b)(3)(A) of this section,  
 9 "engine fuels" does not include aviation fuel;

10 ~~(D)(4)(A)~~ Define engine fuels for special use and refuse,  
 11 revoke, suspend, or issue a stop-order if an engine fuel for special use is  
 12 found not to be in compliance with this subchapter and remand a stop-order if  
 13 the engine fuel for special use is brought into full compliance with this  
 14 subchapter~~;~~.

15 (B) As used in subdivision (b)(4)(A) of this section,  
 16 "engine fuels" does not include aviation fuel;

17 ~~(E)(5)(A)~~ Issue a stop-sale order for any engine fuel,  
 18 petroleum product, and automotive lubricant found not to be in compliance  
 19 with this subchapter and remand the stop-sale order if the engine fuel,  
 20 petroleum product, or automotive lubricant is brought into full compliance  
 21 with this subchapter~~;~~ ~~and~~.

22 (B) As used in subdivision (b)(5)(A) of this section,  
 23 "engine fuel" does not include aviation fuel;

24 ~~(F)(6)(A)~~ Refuse, revoke, or suspend the registration of  
 25 an engine fuel, petroleum product, or automotive lubricant~~;~~ ~~and~~.

26 (B) As used in subdivision (b)(6)(A) of this section,  
 27 "engine fuel" does not include aviation fuel; and

28 ~~(2)(7)~~ Delegate to appropriate personnel any of these  
 29 responsibilities for the proper administration of this subchapter.

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 32 **APPROVED: 3/29/19**