

**SUBSTITUTE FOR  
HOUSE BILL NO. 5750**

A bill to amend 1984 PA 44, entitled  
"Motor fuels quality act,"  
by amending section 4a (MCL 290.644a), as amended by 2002 PA 13.

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

1       Sec. 4a. (1) A storage tank at a retail outlet shall be  
2 periodically tested by the retail dealer to insure that the tank  
3 does not have water or water-alcohol at the bottom of that tank  
4 in an amount greater than 2 inches. If there is more than 2  
5 inches of water or water-alcohol at the bottom of the storage  
6 tank, gasoline shall not be sold to a consumer from that tank  
7 until the water or water-alcohol level is reduced to a level of  
8 less than 2 inches.

9       (2) Adequate testing supplies, as determined by the  
10 department, shall be maintained at the retail outlet and shall  
11 also be made available to the department to determine the water

**HB5750, As Passed House, April 9, 2002**

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1 or water-alcohol level in the storage tank. ~~The department may~~  
2 ~~promulgate rules pursuant to the administrative procedures act of~~  
3 ~~1969, 1969 PA 306, MCL 24.201 to 24.328, to implement this~~  
4 ~~section.~~