MOTOR FUELS QUALITY ACT (EXCERPT)
Act 44 of 1984

290.643 Establishment of standards by rules.

Sec. 3. (1) The director shall establish standards pursuant to this act to ensure the purity and quality of gasoline and diesel fuel sold or offered for sale in this state.

(2) The director shall establish standards for the amount and type of additives allowed to be included in gasoline and diesel fuel.

(3) The director shall establish standards for the grading of gasoline, including, but not limited to, subregular with a minimum 85 AKI, regular with a minimum 87 AKI and a minimum 82 MON, midgrade 88 with a minimum 88 AKI and a minimum 82 MON, midgrade 89 with a minimum 89 AKI and a minimum 83 MON, premium with a minimum 90 AKI, premium 91 with a minimum 91 AKI, premium 92 with a minimum 92 AKI, premium 93 with a minimum 93 AKI, and premium 94 with a minimum 94 AKI.

(4) The director shall establish standards for vapor pressure as specified by the American society for testing and materials, except as otherwise required to conform to federal or state law. Notwithstanding anything to the contrary in section 10d, the director shall establish the vapor pressure as 9.0 pounds per square inch (psi) for retail outlets during the period beginning June 1 through September 15 of each year, except for dispensing facilities in counties where the director establishes the vapor pressure as 7.0 psi or 7.8 psi in the year 2007 and thereafter. As used in this act, "vapor pressure" means the vapor pressure of gasoline or gasoline oxygenate blend as determined by ASTM test method D6378 or D5191 or an ASTM method approved by the department.

(5) In establishing additive and grading standards the director shall adopt the latest standards for gasoline established by the American society for testing and materials and shall adopt the latest standards for gasoline established by federal law or regulation. The standards established by the director shall not prohibit a gasoline blend that is permitted by a valid waiver granted by the United States environmental protection agency pursuant to the fuel or fuel additive waiver in section 211(f)(4) of part A of title II of the clean air act, 42 USC 7545, and the ethanol waiver of 1.0 psi in section 211(h)(4) of part A of title II of the clean air act, 42 USC 7545, if the gasoline blend meets all of the conditions set forth in the waiver. Beginning June 1, 2003, the director shall not permit the use of the additive methyl tertiary butyl ether (MTBE) in this state.

(6) The director shall establish standards pursuant to this act to ensure the purity and quality of diesel fuel sold or offered for sale in this state. No later than June 1, 2009, the director shall make available for public comment proposed standards to ensure the purity and quality of diesel fuel that is biodiesel or a biodiesel blend, including, but not limited to, a biodiesel blend designated as B20.

(7) Any firm offering hydrogen fuel for sale in this state shall first register with and obtain approval from the department. Registration shall include a complete list of the fuel specifications the product is to meet and the sites where the product is offered for sale to the general public.

(8) Standards established pursuant to this section shall be by rules promulgated pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

History: 1984, Act 44, Eff. Mar. 29, 1985;—Am. 1988, Act 84, Imd. Eff. Mar. 29, 1988;—Am. 1993, Act 231, Imd. Eff. Nov. 13, 1993;—Am. 2000, Act 206, Eff. Mar. 28, 2001;—Am. 2002, Act 13, Imd. Eff. Feb. 19, 2002;—Am. 2006, Act 104, Imd. Eff. Apr. 6, 2006;—Am. 2006, Act 271, Imd. Eff. July 7, 2006;—Am. 2008, Act 313, Imd. Eff. Dec. 18, 2008.

Administrative rules: R 285.564.1 et seq. of the Michigan Administrative Code.

Compiler's note: 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.