

117TH CONGRESS  
2D SESSION

# H. R. 7731

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

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## IN THE HOUSE OF REPRESENTATIVES

MAY 11, 2022

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

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## 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 2022”.

1 **SEC. 2. WITHDRAWAL OF E15 FUEL DISPENSER LABELING**  
2 **AND COMPATIBILITY WITH UNDERGROUND**  
3 **STORAGE TANKS PROPOSED RULE.**

4 Not later than 90 days after the date of enactment  
5 of this Act, the Administrator of the Environmental Pro-  
6 tection Agency shall withdraw the proposed rule titled  
7 “E15 Fuel Dispenser Labeling and Compatibility With  
8 Underground Storage Tanks” (86 Fed. Reg. 5094 (Janu-  
9 ary 19, 2021)).

10 **SEC. 3. E15 FUEL DISPENSER LABELING.**

11 (a) REVISION OF RULE.—Not later than 180 days  
12 after the date of enactment of this Act, the Administrator  
13 shall revise the labeling requirements for fuel pumps that  
14 dispense E15, including by revising the rule described in  
15 subsection (c) with respect to such requirements.

16 (b) INPUT AND REQUIREMENTS FOR LABEL.—In re-  
17 vising the labeling requirements for fuel pumps that dis-  
18 pense E15 under paragraph (1), the Administrator shall—

19 (1) solicit input from—

20 (A) industries that manufacture vehicles,  
21 engines, and equipment that are prohibited  
22 from using E15, including boats, lawnmowers,  
23 chainsaws, motorcycles, snowmobiles, and pre-  
24 2001 model year vehicles;

25 (B) consumer groups that represent users  
26 of such vehicles, engines, and equipment;

1 (C) consumer label experts; and

2 (D) retailers (as defined in section 101(7)  
3 of the Petroleum Marketing Practices Act (15  
4 U.S.C. 2801(7)));

5 (2) require that the label for fuel pumps that  
6 dispense E15—

7 (A) include the word “WARNING”;

8 (B) include the words “Check your owner’s  
9 manual”;

10 (C) be  $5 \times 7$  inches or larger;

11 (D) include—

12 (i) indicators with respect to vehicles,  
13 engines, and equipment that are prohibited  
14 from using E15, including—

15 (I) pictograms depicting a boat,  
16 lawnmower, chainsaw, motorcycle, and  
17 snowmobile; and

18 (II) warnings with respect to pre-  
19 2001 model year vehicles; and

20 (ii) other indicators developed by the  
21 Administrator, in consultation with the  
22 American National Standards Institute  
23 and the Federal Trade Commission; and

24 (E) be focus group tested to ensure effec-  
25 tiveness; and

1           (3) with respect to blender pumps, in addition  
2           to the requirements under paragraph (2), with input  
3           from industries, the Federal Trade Commission, and  
4           the American National Standards Institute, require  
5           an additional warning label on each such blender  
6           pump to warn consumers of the residual gasoline left  
7           in gasoline pump hoses from the previous individual  
8           dispensing.

9           (c) **RULE DESCRIBED.**—The rule described in this  
10          subsection is the final rule titled “Regulation To Mitigate  
11          the Misfueling of Vehicles and Engines With Gasoline  
12          Containing Greater Than Ten Volume Percent Ethanol  
13          and Modifications to the Reformulated and Conventional  
14          Gasoline Programs” published in the Federal Register on  
15          July 25, 2011 (76 Fed. Reg. 44406).

16       **SEC. 4. EDUCATION.**

17          (a) **PUBLIC EDUCATION.**—Not later than 180 days  
18          after the date of enactment of this Act, the Administrator,  
19          in consultation with affected industries, shall develop and  
20          publish on the website of the Environmental Protection  
21          Agency educational materials to inform the public regard-  
22          ing—

23                (1) the risks associated with the improper use  
24                of E15; and

1           (2) the vehicles, engines, and equipment that  
2           are prohibited from using E15, including boats,  
3           lawnmowers, chainsaws, motorcycles, snowmobiles,  
4           and pre-2001 model year vehicles.

5           (b) REGISTRATION ENTITIES EDUCATION.—The Ad-  
6           ministrators, in collaboration with State entities responsible  
7           for boat registration, shall distribute, at the time of initial  
8           registration of a boat and at the time of the renewal of  
9           a registration for such boat, educational materials de-  
10          scribed in subsection (a).

11          (c) REPORT.—Not later than 1 year after the date  
12          of enactment of this Act, the Administrator shall submit  
13          to Congress a report on the impact of the publication and  
14          distribution of the educational materials described in sub-  
15          section (a), including data and metrics on consumer  
16          awareness of E15.

17       **SEC. 5. DEFINITIONS.**

18           In this Act:

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

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

- 1           (3) E15.—The term “E15” means gasoline  
2           containing 15 percent ethanol by volume.

