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 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

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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Consumer Protection and Fuel Transparency Act of 2022”.
SEC. 2. WITHDRAWAL OF E15 FUEL DISPENSER LABELING AND COMPATIBILITY WITH UNDERGROUND STORAGE TANKS PROPOSED RULE.

Not later than 90 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall withdraw the proposed rule titled “E15 Fuel Dispenser Labeling and Compatibility With Underground Storage Tanks” (86 Fed. Reg. 5094 (January 19, 2021)).

SEC. 3. E15 FUEL DISPENSER LABELING.

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

(b) Input and Requirements for Label.—In revising the labeling requirements for fuel pumps that dispense E15 under paragraph (1), the Administrator shall—

(1) solicit input from—

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

(B) consumer groups that represent users of such vehicles, engines, and equipment;
(C) consumer label experts; and

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

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

(A) include the word “WARNING”;

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

(C) be 5 × 7 inches or larger;

(D) include—

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

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

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

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

(E) be focus group tested to ensure effectiveness; and
(3) with respect to blender pumps, in addition to the requirements under paragraph (2), with input from industries, the Federal Trade Commission, and the American National Standards Institute, require an additional warning label on each such blender pump to warn consumers of the residual gasoline left in gasoline pump hoses from the previous individual dispensing.

(e) Rule Described.—The rule described in this subsection is the final rule titled “Regulation To Mitigate the Misfueling of Vehicles and Engines With Gasoline Containing Greater Than Ten Volume Percent Ethanol and Modifications to the Reformulated and Conventional Gasoline Programs” published in the Federal Register on July 25, 2011 (76 Fed. Reg. 44406).

SEC. 4. EDUCATION.

(a) Public Education.—Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with affected industries, shall develop and publish on the website of the Environmental Protection Agency educational materials to inform the public regarding—

(1) the risks associated with the improper use of E15; and
(2) the vehicles, engines, and equipment that
are prohibited from using E15, including boats,
lawnmowers, chainsaws, motorcycles, snowmobiles,
and pre-2001 model year vehicles.

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

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

SEC. 5. DEFINITIONS.

In this Act:

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

(2) BLENDER PUMP.—The term “blender
pump” means a fuel pump that may dispense mul-
tiple blends of fuel, including E15.
(3) E15.—The term “E15” means gasoline containing 15 percent ethanol by volume.