

Subpart B—Controls and Prohibitions

§§ 80.20–80.21 [Reserved]

§ 80.22 Controls and prohibitions.

(a) After December 31, 1995, no person shall sell, offer for sale, supply, offer for supply, dispense, transport, or introduce into commerce gasoline represented to be unleaded gasoline unless such gasoline meets the defined requirements for unleaded gasoline in § 80.2(g); nor shall he dispense, or cause or allow the gasoline other than unleaded gasoline to be dispensed into any motor vehicle which is equipped with a gasoline tank filler inlet which is designed for the introduction of unleaded gasoline.

(b) After December 31, 1995, no person shall sell, offer for sale, supply, offer for supply, dispense, transport, or introduce into commerce for use as fuel in any motor vehicle (as defined in Section 216(2) of the Clean Air Act, 42 U.S.C. 7550(2)), any gasoline which is produced with the use of lead additives or which contains more than 0.05 gram of lead per gallon.

(c)–(e) [Reserved]

(f) Beginning January 1, 1996, every retailer and wholesale purchaser-consumer shall equip all gasoline pumps as follows:

(1) [Reserved]

(2) Each pump from which unleaded gasoline is dispensed into motor vehicles shall be equipped with a nozzle spout which meets the following specifications:

(i) The outside diameter of the terminal end shall not be greater than 0.840 inch (2.134 centimeters);

(ii) The terminal end shall have a straight section of at least 2.5 inches (6.34 centimeters) in length; and

(iii) The retaining spring shall terminate 3.0 inches (7.6 centimeters) from the terminal end.

(g)–(i) [Reserved]

(j) After July 1, 1996 every retailer and wholesale purchaser-consumer handling over 10,000 gallons (37,854 liters) of fuel per month shall limit each nozzle from which gasoline or methanol is introduced into motor vehicles to a maximum fuel flow rate not to exceed 10 gallons per minute (37.9 liters

per minute). The flow rate may be controlled through any means in the pump/dispenser system, provided the nozzle flow rate does not exceed 10 gallons per minute (37.9 liters per minute). After January 1, 1998 this requirement applies to every retailer and wholesale purchaser-consumer. Any dispensing pump that is dedicated exclusively to heavy-duty vehicles, boats, or airplanes is exempt from this requirement.

[38 FR 1255, Jan. 10, 1973, as amended at 39 FR 16125, May 17, 1974; 39 FR 43283, Dec. 12, 1974; 48 FR 4287, Jan. 31, 1983; 56 FR 13768, Apr. 4, 1991; 58 FR 16019, Mar. 24, 1993; 61 FR 3837, Feb. 2, 1996; 61 FR 33039, June 26, 1996]

§ 80.23 Liability for violations.

Liability for violations of paragraphs (a) and (b) of § 80.22 shall be determined as follows:

(a)(1) Where the corporate, trade, or brand name of a gasoline refiner or any of its marketing subsidiaries appears on the pump stand or is displayed at the retail outlet or wholesale purchaser-consumer facility from which the gasoline was sold, dispensed, or offered for sale, the retailer or wholesale purchaser-consumer, the reseller (if any), and such gasoline refiner shall be deemed in violation. Except as provided in paragraph (b)(2) of this section, the refiner shall be deemed in violation irrespective of whether any other refiner, distributor, retailer, or wholesale purchaser-consumer or the employee or agent of any refiner, distributor, retailer, or wholesale purchaser-consumer may have caused or permitted the violation.

(2) Where the corporate, trade, or brand name of a gasoline refiner or any of its marketing subsidiaries does not appear on the pump stand and is not displayed at the retail outlet or wholesale purchaser-consumer facility from which the gasoline was sold, dispensed, or offered for sale, the retailer or wholesale purchaser-consumer and any distributor who sold that person gasoline contained in the storage tank which supplied that pump at the time of the violation shall be deemed in violation.

(b)(1) In any case in which a retailer or wholesale purchaser-consumer and any gasoline refiner or distributor