

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

# A Bill

HOUSE BILL 1654

By: Representative Jett

## For An Act To Be Entitled

AN ACT TO CLARIFY THE LAW CONCERNING THE ENGINE FUELS  
AUTHORIZED TO BE TESTED BY THE STATE PETROLEUM  
PRODUCTS DIVISION; AND FOR OTHER PURPOSES.

### Subtitle

TO CLARIFY THE LAW CONCERNING THE ENGINE  
FUELS AUTHORIZED TO BE TESTED BY THE  
STATE PETROLEUM PRODUCTS DIVISION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 4-108-205(b), concerning the general duties and powers of the State Petroleum Products Division, is amended to read as follows:

(b) The board shall have the authority to:

(1)~~(A)~~ Enforce and administer all the provisions of this subchapter by inspections, analyses, and other appropriate actions;

~~(B)(i)(2)(A)(i)~~ Have access during normal business hours to all places where engine fuels, petroleum products, and automotive lubricants are kept, transferred, offered, exposed for sale, or sold for the purpose of examination, inspection, taking of samples, and investigation.

(ii) As used in subdivision (b)(2)(A)(i) of this section, "engine fuels" does not include aviation fuel.

~~(ii)(B) If such access shall be refused a representative of the board is denied access by the owner or agent or other persons leasing the same place where engine fuels, petroleum products, or automotive lubricants are kept, transferred, offered, exposed for sale, or~~



sold for the purpose of examination, inspection, taking of samples, and investigation, the ~~director~~ Director of the State Plant Board may obtain an administrative search warrant from a court of competent jurisdiction;

~~(C)(3)(A)~~ Collect, or cause to be collected, samples of engine fuels, petroleum products, and automotive lubricants marketed in this state, and cause ~~such~~ the samples to be tested or analyzed for compliance with the provisions of this subchapter~~;~~.

(B) As used in subdivision (b)(3)(A) of this section, "engine fuels" does not include aviation fuel;

~~(D)(4)(A)~~ Define engine fuels for special use and refuse, revoke, suspend, or issue a stop-order if an engine fuel for special use is found not to be in compliance with this subchapter and remand a stop-order if the engine fuel for special use is brought into full compliance with this subchapter~~;~~.

(B) As used in subdivision (b)(4)(A) of this section, "engine fuels" does not include aviation fuel;

~~(E)(5)(A)~~ Issue a stop-sale order for any engine fuel, petroleum product, and automotive lubricant found not to be in compliance with this subchapter and remand the stop-sale order if the engine fuel, petroleum product, or automotive lubricant is brought into full compliance with this subchapter~~;~~ ~~and~~.

(B) As used in subdivision (b)(5)(A) of this section, "engine fuel" does not include aviation fuel;

~~(F)(6)(A)~~ Refuse, revoke, or suspend the registration of an engine fuel, petroleum product, or automotive lubricant~~;~~ ~~and~~.

(B) As used in subdivision (b)(6)(A) of this section, "engine fuel" does not include aviation fuel; and

~~(2)(7)~~ Delegate to appropriate personnel any of these responsibilities for the proper administration of this subchapter.

**APPROVED: 3/29/19**