

Senate Engrossed

gasoline formulations; air quality.

State of Arizona  
Senate  
Fifty-sixth Legislature  
Second Regular Session  
2024

# SENATE BILL 1064

AN ACT

AMENDING SECTION 3-3433, ARIZONA REVISED STATUTES; AMENDING SECTION 3-3493, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2016, CHAPTER 232, SECTION 27; AMENDING SECTION 3-3493, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2017, CHAPTER 295, SECTION 2; AMENDING SECTION 3-3494, ARIZONA REVISED STATUTES; AMENDING TITLE 3, CHAPTER 19, ARTICLE 6, ARIZONA REVISED STATUTES, BY ADDING SECTION 3-3499; RELATING TO MOTOR FUEL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 3-3433, Arizona Revised Statutes, is amended to  
3 read:

4 3-3433. Standards for motor fuel; exceptions

5 A. Except as provided in section 3-3434 and subsections C, D, E, F,  
6 G and K of this section, a retail seller or fleet owner shall not store,  
7 sell or expose or offer for sale any motor fuel, kerosene, oil or other  
8 liquid or gaseous fuel or lubricating oil, lubricant, mixtures of  
9 lubricants or other similar products if the product fails to meet the  
10 standards specified in this section and in the rules adopted by the  
11 associate director.

12 B. A person shall not misrepresent the nature, origination,  
13 quality, grade or identity of any product specified in subsection A of  
14 this section or represent the nature, origination, quality, grade or  
15 identity of such product in any manner calculated or tending to mislead or  
16 in any way deceive. This subsection does not prohibit product origination  
17 disclaimer labeling on the retail dispenser.

18 C. After consultation with the director of the department of  
19 environmental quality, the standards and test methods for motor fuels  
20 shall be established by the associate director of the division by rule.

21 D. Maximum vapor pressure for gasoline that is ~~supplied or~~ sold **OR**  
22 **OFFERED FOR SALE** by any ~~person~~ **RETAIL SELLER** and that is intended as a  
23 final product for the fueling of motor vehicles in a county with a  
24 population of one million two hundred thousand or more persons and any  
25 portion of a county contained in area A shall be 9.0 pounds per square  
26 inch from and after September 30 through March 31 of each year. Fuel used  
27 in motor vehicles at a manufacturer's proving ground or a motor vehicle  
28 racing event is exempt from this subsection.

29 E. From and after September 30 through March 31 of each year, a  
30 person shall not supply or sell gasoline that exceeds the ASTM D4814 class  
31 A vapor pressure/distillation class ten volume percent evaporated  
32 distillation temperature.

33 F. Maximum vapor pressure for gasoline that is ~~supplied or~~ sold **OR**  
34 **OFFERED FOR SALE** by any ~~person~~ **RETAIL SELLER** and that is intended as a  
35 final product for the fueling of motor vehicles in a county with a  
36 population of one million two hundred thousand persons or more and any  
37 portion of a county contained in area A shall be 7.0 pounds per square  
38 inch from and after May 31 through September 30 of each year. Fuel used  
39 in motor vehicles at a manufacturer's proving ground or a motor vehicle  
40 racing event is exempt from this subsection.

41 G. Exclusively for the purposes of transportation conformity and  
42 only if the administrator of the United States environmental protection  
43 agency fails to approve the applicable plan required pursuant to section  
44 49-406, maximum vapor pressure for gasoline that is supplied or sold by  
45 any person and that is intended as a final product for the fueling of

1 motor vehicles in area B shall be ten pounds per square inch from and  
2 after September 30 through March 31 of each year. Fuel used in motor  
3 vehicles at a manufacturer's proving ground or a motor vehicle racing  
4 event is exempt from this subsection.

5 H. Notwithstanding subsections D, F and G of this section, the  
6 associate director of the division in consultation with the director of  
7 the department of environmental quality shall approve alternate fuel  
8 control measures that are submitted by gasoline providers and that the  
9 director and the associate director determine will result in either of the  
10 following:

11 1. Motor vehicle carbon monoxide emissions that are equal to or  
12 less than emissions that result under compliance with subsection D of this  
13 section and section 3-3492. In making this determination, the associate  
14 director of the division and the director of the department of  
15 environmental quality shall compare the emissions of the alternate fuel  
16 control measure with the emissions of a fuel with a maximum vapor pressure  
17 standard as prescribed by this section and with the minimum oxygen content  
18 or percentage by volume of ethanol as prescribed by section 3-3492.

19 2. Motor vehicle non-methane hydrocarbon emissions that are equal  
20 to or less than the emissions that result under compliance with subsection  
21 F of this section. In making this determination, the associate director  
22 of the division and the director of the department of environmental  
23 quality shall compare the motor vehicle non-methane hydrocarbon emissions  
24 of the alternate fuel control measure with the motor vehicle non-methane  
25 hydrocarbon emissions of a fuel that complies with the maximum vapor  
26 pressure standard as prescribed by subsection F of this section.

27 I. Any alternate fuel control measures that are approved shall not  
28 increase emissions of non-methane hydrocarbons, particulates, carbon  
29 monoxide or oxides of nitrogen. Alternate fuel control measures approved  
30 pursuant to subsection H of this section and this subsection may be used  
31 by any gasoline provider unless the approval is rescinded more than one  
32 hundred eighty days before the first day of a gasoline control  
33 period. Gasoline providers that use an approved alternate fuel control  
34 measure shall annually submit a compliance plan to the associate director  
35 ~~no~~ NOT later than sixty days before the first day of a gasoline control  
36 period.

37 J. A person shall not sell or offer or expose for sale diesel fuel  
38 grade 1, 2 or 4 as defined in ASTM D975, biodiesel, biodiesel blends or  
39 biomass-based diesel or biomass-based diesel blends that contain sulfur in  
40 excess of fifteen parts per million. Locomotive and marine diesel fuel is  
41 exempt from this requirement if the fuel meets the requirements of 40 Code  
42 of Federal Regulations section 80.513(g) and (h).

43 K. A person shall label dispensers at which biodiesel, biodiesel  
44 blends, biomass-based diesel or biomass-based diesel blends are dispensed  
45 in conformance with 16 Code of Federal Regulations part 306. This section

1 does not preclude a person from labeling a dispenser that dispenses diesel  
2 fuel that contains up to five percent biodiesel or biomass-based diesel  
3 with a label that states "may contain up to five percent biodiesel" or  
4 "may contain up to five percent biomass-based diesel".

5 L. For biodiesel blends that contain more than five percent by  
6 volume of biodiesel, a person shall prepare product transfer documents in  
7 a manner that notifies the transferee of the percent by volume of  
8 biodiesel in the product.

9 M. The associate director shall adopt rules regarding the  
10 establishment and enforcement of all of the following:

11 1. National or federal standards for individual biofuels and  
12 biofuel blends.

13 2. United States environmental protection agency and ASTM test  
14 methods for individual biofuels and biofuel blends.

15 3. Registration and reporting requirements for producers, blenders  
16 and suppliers of biofuels and biofuel blends.

17 4. Labeling requirements for biofuels and biofuel blends other than  
18 biodiesel or biodiesel blends.

19 5. Quality assurance and quality control programs for producers,  
20 blenders and suppliers of biofuels and biofuel blends addressing rack,  
21 batch or other blending.

22 6. Requirements that the dispensing equipment meet appropriate  
23 UL ratings where available and applicable, that the equipment comply with  
24 rules adopted by the division relating to approval, installation and sale  
25 of devices and that the equipment be compatible with the products being  
26 dispensed.

27 N. A biofuels or biofuel blends producer, blender, distributor,  
28 supplier or retail seller that is in compliance with this section and the  
29 rules adopted pursuant to this section is not liable to a consumer for any  
30 injuries or property damage related to a consumer who misfuels.

31 O. If any person transfers custody or title of a diesel fuel or  
32 distillate, biodiesel, a biodiesel blend, biomass-based diesel or a  
33 biomass-based diesel blend, except if the fuel is dispensed into a motor  
34 vehicle or nonroad, locomotive or marine equipment, the transferor shall  
35 provide to the transferee product transfer documents that conform with 40  
36 Code of Federal Regulations section 80.590.

37 P. If the transfer of a motor fuel is from a terminal, storage  
38 facility, or transmix facility, the product transfer documents shall  
39 contain the information prescribed in subsection O of this section. In  
40 addition, the fuel transporter shall ensure that the name and address of  
41 the final destination for the shipment, as prescribed by division rule,  
42 are included and that the product transfer documents accompany the  
43 shipment to its final destination.

1           Sec. 2. Section 3-3493, Arizona Revised Statutes, as amended by  
2 Laws 2016, chapter 232, section 27, is amended to read:

3           3-3493. Area A; fuel reformulation; rules; exception

4           A. All gasoline ~~produced and shipped to or within this state and~~  
5 sold or offered for sale for use in motor vehicles in a county with a  
6 population of one million two hundred thousand or more persons and any  
7 portion of a county contained in area A, subject to an appropriate waiver  
8 granted by the administrator of the United States environmental protection  
9 agency pursuant to section 211(c)(4) of the clean air act as defined in  
10 section 49-401.01, shall comply with ~~either~~ ONE of the following fuel  
11 reformulation options:

12           1. A gasoline that meets standards for federal phase II  
13 reformulated gasoline, as provided in 40 Code of Federal Regulations  
14 section 80.41, paragraphs (e) through (h), in effect on January 1, 1999,  
15 except that the minimum oxygen content standard does not apply. The  
16 gasoline shall also meet the maximum vapor pressure requirements in  
17 section 3-3433, subsections D and F.

18           2. A GASOLINE THAT MEETS STANDARDS FOR California phase 2  
19 reformulated gasoline, including alternative formulations allowed by the  
20 predictive model, as adopted by the California air resources board  
21 pursuant to California Code of Regulations title 13, sections 2261 through  
22 2262.7 and 2265, in effect on January 1, 1997, except that the minimum  
23 oxygen content standard does not apply. The gasoline shall also meet the  
24 maximum vapor pressure requirements in section 3-3433, subsections D  
25 and F.

26           3. A GASOLINE THAT MEETS STANDARDS FOR FEDERAL PHASE II  
27 REFORMULATED GASOLINE, AS PROVIDED IN 40 CODE OF FEDERAL REGULATIONS  
28 SECTIONS 1090.200 THROUGH 1090.295, IN EFFECT ON DECEMBER 4, 2020. THE  
29 GASOLINE SHALL ALSO MEET THE MAXIMUM VAPOR PRESSURE REQUIREMENTS IN  
30 SECTION 3-3433, SUBSECTION F. FOR THE PERIOD BEGINNING NOVEMBER 1 THROUGH  
31 MARCH 31 OF EACH YEAR, THE GASOLINE SHALL ALSO MEET THE MINIMUM OXYGEN  
32 CONTENT OR PERCENTAGE REQUIREMENTS PRESCRIBED IN SECTION 3-3492.

33           4. A GASOLINE THAT MEETS STANDARDS FOR CALIFORNIA PHASE 3  
34 REFORMULATED GASOLINE, INCLUDING ALTERNATIVE FORMULATIONS ALLOWED BY THE  
35 PREDICTIVE MODEL, AS ADOPTED BY THE CALIFORNIA AIR RESOURCES BOARD  
36 PURSUANT TO CALIFORNIA CODE OF REGULATIONS TITLE 13, SECTIONS 2261 THROUGH  
37 2262.7 AND 2265, IN EFFECT ON FEBRUARY 16, 2014. FOR THE PERIOD BEGINNING  
38 NOVEMBER 1 THROUGH MARCH 31 OF EACH YEAR, THE GASOLINE SHALL ALSO MEET THE  
39 REQUIREMENTS PRESCRIBED IN SECTION 3-3492.

40           5. A GASOLINE THAT MEETS STANDARDS FOR FEDERAL CONVENTIONAL  
41 GASOLINE. THE GASOLINE SHALL ALSO MEET THE MAXIMUM VAPOR PRESSURE  
42 REQUIREMENTS IN SECTION 3-3433, SUBSECTION F. FOR THE PERIOD BEGINNING  
43 NOVEMBER 1 THROUGH MARCH 31 OF EACH YEAR, THE GASOLINE SHALL ALSO MEET THE  
44 MINIMUM OXYGEN CONTENT OR PERCENTAGE REQUIREMENTS PRESCRIBED IN SECTION  
45 3-3492.

1           6. A GASOLINE OR GASOLINE BLEND THAT MEETS ANY OF THE STANDARDS  
2 PRESCRIBED BY THIS SUBSECTION OR APPROVED FOR USE BY THE UNITED STATES  
3 ENVIRONMENTAL PROTECTION AGENCY.

4           B. For the period beginning November 1 through March 31 of each  
5 year, all gasoline produced and shipped to or within this state and sold  
6 or offered for sale for use in motor vehicles in a county with a  
7 population of one million two hundred thousand or more persons and any  
8 portion of a county contained in area A, subject to an appropriate waiver  
9 granted by the administrator of the United States environmental protection  
10 agency pursuant to section 211(c)(4) of the clean air act as defined in  
11 section 49-401.01, shall comply with ONE OF THE FOLLOWING standards ~~for~~:

12           1. California phase 2 reformulated gasoline, including alternative  
13 formulations allowed by the predictive model, as adopted by the California  
14 air resources board pursuant to California Code of Regulations title 13,  
15 sections 2261 through 2262.7 and 2265, in effect on January 1, 1997 and  
16 shall meet the maximum vapor pressure requirements in section 3-3433,  
17 subsections D and F. The fuel described in this subsection shall meet the  
18 requirements of section 3-3492, subsection A, ~~paragraph 1~~.

19           2. NOTWITHSTANDING SECTION 3-3433, SUBSECTION D, A GASOLINE THAT  
20 MEETS STANDARDS FOR CALIFORNIA PHASE 3 REFORMULATED GASOLINE, INCLUDING  
21 ALTERNATIVE FORMULATIONS ALLOWED BY THE PREDICTIVE MODEL, AS ADOPTED BY  
22 THE CALIFORNIA AIR RESOURCES BOARD PURSUANT TO CALIFORNIA CODE OF  
23 REGULATIONS TITLE 13, SECTIONS 2261 THROUGH 2262.7 AND 2265, IN EFFECT ON  
24 FEBRUARY 16, 2014.

25           3. NOTWITHSTANDING SECTION 3-3433, SUBSECTION D, A GASOLINE THAT  
26 MEETS STANDARDS FOR FEDERAL PHASE II REFORMULATED GASOLINE, AS PROVIDED IN  
27 40 CODE OF FEDERAL REGULATIONS SECTIONS 1090.200 THROUGH 1090.295, IN  
28 EFFECT ON DECEMBER 4, 2020.

29           4. A GASOLINE THAT MEETS STANDARDS FOR FEDERAL PHASE II  
30 REFORMULATED GASOLINE, AS PROVIDED IN 40 CODE OF FEDERAL REGULATIONS  
31 SECTIONS 1090.200 THROUGH 1090.295, IN EFFECT ON DECEMBER 4, 2020.

32           5. A GASOLINE THAT MEETS STANDARDS FOR CALIFORNIA PHASE 3  
33 REFORMULATED GASOLINE, INCLUDING ALTERNATIVE FORMULATIONS ALLOWED BY THE  
34 PREDICTIVE MODEL, AS ADOPTED BY THE CALIFORNIA AIR RESOURCES BOARD  
35 PURSUANT TO CALIFORNIA CODE OF REGULATIONS TITLE 13, SECTIONS 2261 THROUGH  
36 2262.7 AND 2265, IN EFFECT ON FEBRUARY 16, 2014.

37           6. A GASOLINE OR GASOLINE BLEND THAT MEETS ANY OF THE STANDARDS  
38 PRESCRIBED BY THIS SUBSECTION OR APPROVED FOR USE BY THE UNITED STATES  
39 ENVIRONMENTAL PROTECTION AGENCY.

40           C. Any registered supplier or oxygenate blender, as defined in  
41 division rules, THE PRESIDENT OF THE SENATE OR THE SPEAKER OF THE HOUSE OF  
42 REPRESENTATIVES may petition the associate director to request that all  
43 registered suppliers or oxygenate blenders be allowed to comply with  
44 standards other than the standards prescribed by THIS SECTION OR section  
45 3-3492, subsection A if the petitioner can demonstrate that A REGISTERED

1 SUPPLIER'S OR OXYGENATE BLENDER'S ABILITY TO SUPPLY ethanol ~~supply~~  
2 ~~shortages are~~ OR GASOLINE THAT MEETS THE SPECIFICATIONS OF SUBSECTION A OR  
3 B OF THIS SECTION IS IN imminent DANGER AND MAY RESULT IN SUPPLY SHORTAGES  
4 OF ETHANOL OR GASOLINE IN AREA A. IF A REGISTERED SUPPLIER OR OXYGENATE  
5 BLENDER, AS DEFINED IN DIVISION RULES, SUBMITS A PETITION PURSUANT TO THIS  
6 SECTION, THE REGISTERED SUPPLIER OR OXYGENATE BLENDER SHALL PROVIDE NOTICE  
7 AND A COPY OF THE PETITION TO THE PRESIDENT OF THE SENATE AND THE SPEAKER  
8 OF THE HOUSE OF REPRESENTATIVES. FOR THE PURPOSES OF THIS SUBSECTION, ALL  
9 OF THE FOLLOWING ARE EXEMPT FROM THE PROVISIONS OF TITLE 39, CHAPTER 1:

10 1. A PETITION SUBMITTED BY THE PRESIDENT OF THE SENATE.

11 2. A PETITION SUBMITTED BY THE SPEAKER OF THE HOUSE OF  
12 REPRESENTATIVES.

13 3. ALL COMMUNICATION REGARDING A PETITION BETWEEN THE PRESIDENT OF  
14 THE SENATE OR THEIR AGENT AND ANY OTHER PERSON.

15 4. ALL COMMUNICATION REGARDING A PETITION BETWEEN THE SPEAKER OF  
16 THE HOUSE OF REPRESENTATIVES OR THEIR AGENT AND ANY OTHER PERSON.

17 D. The petition shall:

18 ~~1. Identify specific supply conditions that will result in a~~  
19 ~~shortage of ethanol.~~

20 1. FOR OXYGENATE SHORTAGES:

21 ~~2.~~ (a) Identify which oxygenate or oxygenates and the  
22 concentration that will be blended into gasoline BY THE PETITIONER OR  
23 REGISTERED SUPPLIERS OR OXYGENATE BLENDERS, AS DEFINED IN DIVISION RULES,  
24 for sale or use in area A.

25 ~~3.~~ (b) Demonstrate that the alternative oxygenate blend comes  
26 closest to meeting a three and one-half percent by weight oxygen content  
27 ~~at reasonable cost~~, unless the registered supplier or oxygenate blender is  
28 petitioning to use a gasoline-ethanol blend containing less than ten  
29 percent by volume of ethanol.

30 2. FOR GASOLINE SHORTAGES, IDENTIFY THE FORMULATION OF GASOLINE  
31 THAT THE PETITIONER OR REGISTERED SUPPLIERS OR OXYGENATE BLENDERS, AS  
32 DEFINED IN DIVISION RULES, WILL SELL IN LIEU OF GASOLINE MEETING THE  
33 STANDARDS IN SUBSECTION A OR B OF THIS SECTION.

34 ~~4.~~ 3. Specify a PROJECTED time period for compliance with any  
35 provision of THIS SECTION AND section 3-3492, subsection A, not to exceed  
36 sixty days.

37 E. The associate director shall either grant or deny the petition  
38 in writing within seven days of its receipt. Any decision by the  
39 associate director to grant the petition shall be equally applicable to  
40 all registered suppliers or oxygenate blenders and shall not be  
41 selectively applied to any single registered supplier or oxygenate  
42 blender. The petition may be granted only if the associate director  
43 verifies that the basis for requesting the petition is factual.

1 F. The associate director may reauthorize a petition if the  
2 petitioner can demonstrate that the conditions have continued. The  
3 reauthorization of a petition shall not exceed thirty days.

4 G. The associate director of the division shall consult with the  
5 director of the department of environmental quality before granting,  
6 reauthorizing or denying any such petition.

7 H. The ASSOCIATE director OF THE DIVISION, ~~of environmental quality~~  
8 in consultation with the ~~associate~~ director of the ~~division~~ DEPARTMENT OF  
9 ENVIRONMENTAL QUALITY, shall adopt by rule:

10 1. Requirements to implement subsections A, B, C and D of this  
11 section.

12 2. Requirements for recordkeeping, reporting and analytical methods  
13 for fuel providers to demonstrate compliance with subsections A, B, C and  
14 D of this section.

15 I. FOR THE PURPOSES OF SUBSECTION A, PARAGRAPH 6 OF THIS SECTION, A  
16 REGISTERED SUPPLIER OR OXYGENATE BLENDER, AS DEFINED IN DIVISION RULES,  
17 THAT IS NOT A RETAIL SELLER MAY HOLD, POSSESS, TRANSPORT, STORE AND BLEND  
18 AND SELL OR OFFER FOR SALE TO ANOTHER REGISTERED SUPPLIER OR OXYGENATE  
19 BLENDER ALL GASOLINE AND GASOLINE BLENDS THAT DO NOT MEET THE REQUIREMENTS  
20 OF SUBSECTION A, PARAGRAPH 1, 2, 3, 4 OR 5 OF THIS SECTION IF THE GASOLINE  
21 OR GASOLINE BLEND THAT IS ULTIMATELY SOLD OR OFFERED FOR SALE TO THE  
22 PUBLIC BY RELEVANT RETAIL SELLERS THAT SELL OR OFFER FOR SALE GASOLINE OR  
23 A GASOLINE BLEND FOR USE IN MOTOR VEHICLES IN A COUNTY WITH A POPULATION  
24 OF ONE MILLION TWO HUNDRED THOUSAND OR MORE PERSONS AND ANY PORTION OF A  
25 COUNTY CONTAINED IN AREA A AND THAT OBTAIN GASOLINE OR A GASOLINE BLEND  
26 FROM THE REGISTERED SUPPLIER OR OXYGENATE BLENDER OR FROM A REGISTERED  
27 SUPPLIER OR OXYGENATE BLENDER THAT OBTAINED GASOLINE OR A GASOLINE BLEND  
28 FROM THE REGISTERED SUPPLIER OR OXYGENATE BLENDER MEETS THE REQUIREMENTS  
29 OF SUBSECTION A OF THIS SECTION.

30 ~~I.~~ J. This section does not apply to fuel sold for use at a motor  
31 vehicle manufacturer proving ground or at a motor vehicle racing event.

32 Sec. 3. Section 3-3493, Arizona Revised Statutes, as amended by  
33 Laws 2017, chapter 295, section 2, is amended to read:

34 3-3493. Area A; fuel reformulation; rules; exception

35 A. All gasoline ~~produced and shipped to or within this state and~~  
36 sold or offered for sale for use in motor vehicles in a county with a  
37 population of one million two hundred thousand or more persons and any  
38 portion of a county contained in area A, subject to an appropriate waiver  
39 granted by the administrator of the United States environmental protection  
40 agency pursuant to section 211(c)(4) of the clean air act as defined in  
41 section 49-401.01, shall comply with ~~either~~ ONE of the following fuel  
42 reformulation options:

43 1. A gasoline that meets standards for federal phase II  
44 reformulated gasoline, as provided in 40 Code of Federal Regulations  
45 section 80.41, paragraphs (e) through (h), in effect on January 1, 1999,



1 except that the minimum oxygen content standard does not apply. The  
2 gasoline shall also meet the maximum vapor pressure requirements in  
3 section 3-3433, subsections D and F.

4 2. A GASOLINE THAT MEETS STANDARDS FOR California phase 2  
5 reformulated gasoline, including alternative formulations allowed by the  
6 predictive model, as adopted by the California air resources board  
7 pursuant to California Code of Regulations title 13, sections 2261 through  
8 2262.7 and 2265, in effect on January 1, 1997, except that the minimum  
9 oxygen content standard does not apply. The gasoline shall also meet the  
10 maximum vapor pressure requirements in section 3-3433, subsections D  
11 and F.

12 3. A GASOLINE THAT MEETS STANDARDS FOR FEDERAL PHASE II  
13 REFORMULATED GASOLINE, AS PROVIDED IN 40 CODE OF FEDERAL REGULATIONS  
14 SECTIONS 1090.200 THROUGH 1090.295, IN EFFECT ON DECEMBER 4, 2020. THE  
15 GASOLINE SHALL ALSO MEET THE MAXIMUM VAPOR PRESSURE REQUIREMENTS IN  
16 SECTION 3-3433, SUBSECTION F. FOR THE PERIOD BEGINNING NOVEMBER 1 THROUGH  
17 MARCH 31 OF EACH YEAR, THE GASOLINE SHALL ALSO MEET THE MINIMUM OXYGEN  
18 CONTENT OR PERCENTAGE REQUIREMENTS PRESCRIBED IN SECTION 3-3492.

19 4. A GASOLINE THAT MEETS STANDARDS FOR CALIFORNIA PHASE 3  
20 REFORMULATED GASOLINE, INCLUDING ALTERNATIVE FORMULATIONS ALLOWED BY THE  
21 PREDICTIVE MODEL, AS ADOPTED BY THE CALIFORNIA AIR RESOURCES BOARD  
22 PURSUANT TO CALIFORNIA CODE OF REGULATIONS TITLE 13, SECTIONS 2261 THROUGH  
23 2262.7 AND 2265, IN EFFECT ON FEBRUARY 16, 2014. FOR THE PERIOD BEGINNING  
24 NOVEMBER 1 THROUGH MARCH 31 OF EACH YEAR, THE GASOLINE SHALL ALSO MEET THE  
25 REQUIREMENTS PRESCRIBED IN SECTION 3-3492.

26 5. A GASOLINE THAT MEETS STANDARDS FOR FEDERAL CONVENTIONAL  
27 GASOLINE. THE GASOLINE SHALL ALSO MEET THE MAXIMUM VAPOR PRESSURE  
28 REQUIREMENTS IN SECTION 3-3433, SUBSECTION F. FOR THE PERIOD BEGINNING  
29 NOVEMBER 1 THROUGH MARCH 31 OF EACH YEAR, THE GASOLINE SHALL ALSO MEET THE  
30 MINIMUM OXYGEN CONTENT OR PERCENTAGE REQUIREMENTS PRESCRIBED IN SECTION  
31 3-3492.

32 6. A GASOLINE OR GASOLINE BLEND THAT MEETS ANY OF THE STANDARDS  
33 PRESCRIBED BY THIS SUBSECTION OR APPROVED FOR USE BY THE UNITED STATES  
34 ENVIRONMENTAL PROTECTION AGENCY.

35 B. For the period beginning November 1 through March 31 of each  
36 year, all gasoline ~~produced and shipped to or within this state and~~ sold  
37 or offered for sale for use in motor vehicles in a county with a  
38 population of one million two hundred thousand or more persons and any  
39 portion of a county contained in area A, subject to an appropriate waiver  
40 granted by the administrator of the United States environmental protection  
41 agency pursuant to section 211(c)(4) of the clean air act as defined in  
42 section 49-401.01, shall comply with ONE OF THE FOLLOWING standards for:

43 1. California phase 2 reformulated gasoline, including alternative  
44 formulations allowed by the predictive model, as adopted by the California  
45 air resources board pursuant to California Code of Regulations title 13,

1 sections 2261 through 2262.7 and 2265, in effect on January 1, 1997 and  
2 shall meet the maximum vapor pressure requirements in section 3-3433,  
3 subsections D and F. The fuel described in this ~~subsection~~ PARAGRAPH  
4 shall meet the requirements of section 3-3492, subsection A, ~~paragraph 1~~  
5 ~~or 2~~.

6 2. NOTWITHSTANDING SECTION 3-3433, SUBSECTION D, A GASOLINE THAT  
7 MEETS STANDARDS FOR CALIFORNIA PHASE 3 REFORMULATED GASOLINE, INCLUDING  
8 ALTERNATIVE FORMULATIONS ALLOWED BY THE PREDICTIVE MODEL, AS ADOPTED BY  
9 THE CALIFORNIA AIR RESOURCES BOARD PURSUANT TO CALIFORNIA CODE OF  
10 REGULATIONS TITLE 13, SECTIONS 2261 THROUGH 2262.7 AND 2265, IN EFFECT ON  
11 FEBRUARY 16, 2014.

12 3. NOTWITHSTANDING SECTION 3-3433, SUBSECTION D, A GASOLINE THAT  
13 MEETS STANDARDS FOR FEDERAL PHASE II REFORMULATED GASOLINE, AS PROVIDED IN  
14 40 CODE OF FEDERAL REGULATIONS SECTIONS 1090.200 THROUGH 1090.295, IN  
15 EFFECT ON DECEMBER 4, 2020.

16 4. A GASOLINE THAT MEETS STANDARDS FOR FEDERAL PHASE II  
17 REFORMULATED GASOLINE, AS PROVIDED IN 40 CODE OF FEDERAL REGULATIONS  
18 SECTIONS 1090.200 THROUGH 1090.295, IN EFFECT ON DECEMBER 4, 2020.

19 5. A GASOLINE THAT MEETS STANDARDS FOR CALIFORNIA PHASE 3  
20 REFORMULATED GASOLINE, INCLUDING ALTERNATIVE FORMULATIONS ALLOWED BY THE  
21 PREDICTIVE MODEL, AS ADOPTED BY THE CALIFORNIA AIR RESOURCES BOARD  
22 PURSUANT TO CALIFORNIA CODE OF REGULATIONS TITLE 13, SECTIONS 2261 THROUGH  
23 2262.7 AND 2265, IN EFFECT ON FEBRUARY 16, 2014.

24 6. A GASOLINE OR GASOLINE BLEND THAT MEETS ANY OF THE STANDARDS  
25 PRESCRIBED BY THIS SUBSECTION OR APPROVED FOR USE BY THE UNITED STATES  
26 ENVIRONMENTAL PROTECTION AGENCY.

27 C. Any registered supplier or oxygenate blender, as defined in  
28 division rules, THE PRESIDENT OF THE SENATE OR THE SPEAKER OF THE HOUSE OF  
29 REPRESENTATIVES may petition the associate director to request that all  
30 ~~registered suppliers or oxygenate blenders~~ RETAIL SELLERS be allowed to  
31 ~~comply with standards other than~~ SELL OR OFFER FOR SALE GASOLINE FOR USE  
32 IN MOTOR VEHICLES IN AREA A THAT DOES NOT MEET the standards prescribed by  
33 THIS SECTION OR section 3-3492, subsection A if the petitioner can  
34 demonstrate that THE PETITIONER'S ABILITY TO SUPPLY ethanol ~~supply~~  
35 ~~shortages are~~ OR GASOLINE THAT MEETS THE SPECIFICATIONS OF SUBSECTION A OR  
36 B OF THIS SECTION IS IN imminent DANGER AND MAY RESULT IN SUPPLY SHORTAGES  
37 OF ETHANOL OR GASOLINE IN AREA A. IF A REGISTERED SUPPLIER OR OXYGENATE  
38 BLENDER, AS DEFINED IN DIVISION RULES, SUBMITS A PETITION PURSUANT TO THIS  
39 SECTION, THE REGISTERED SUPPLIER OR OXYGENATE BLENDER SHALL PROVIDE NOTICE  
40 AND A COPY OF THE PETITION TO THE PRESIDENT OF THE SENATE AND THE SPEAKER  
41 OF THE HOUSE OF REPRESENTATIVES. FOR THE PURPOSES OF THIS SUBSECTION, ALL  
42 OF THE FOLLOWING ARE EXEMPT FROM THE PROVISIONS OF TITLE 39, CHAPTER 1:

43 1. A PETITION SUBMITTED BY THE PRESIDENT OF THE SENATE.

44 2. A PETITION SUBMITTED BY THE SPEAKER OF THE HOUSE OF  
45 REPRESENTATIVES.

1           3. ALL COMMUNICATION REGARDING A PETITION BETWEEN THE PRESIDENT OF  
2 THE SENATE OR THEIR AGENT AND ANY OTHER PERSON.

3           4. ALL COMMUNICATION REGARDING A PETITION BETWEEN THE SPEAKER OF  
4 THE HOUSE OF REPRESENTATIVES OR THEIR AGENT AND ANY OTHER PERSON.

5           D. The petition shall:

6           ~~1. Identify specific supply conditions that will result in a~~  
7 ~~shortage of ethanol.~~

8           1. FOR OXYGENATE SHORTAGES:

9           ~~2.~~ (a) Identify which oxygenate or oxygenates and the  
10 concentration that will be blended into gasoline BY THE PETITIONER OR  
11 REGISTERED SUPPLIERS OR OXYGENATE BLENDERS, AS DEFINED IN DIVISION RULES,  
12 for sale or use in area A.

13           ~~3.~~ (b) Demonstrate that the alternative oxygenate blend comes  
14 closest to meeting a three and one-half percent by weight oxygen content  
15 ~~at reasonable cost~~, unless the registered supplier or oxygenate blender is  
16 petitioning to use a gasoline-ethanol blend containing less than ten  
17 percent by volume of ethanol.

18           2. FOR GASOLINE SHORTAGES, IDENTIFY THE FORMULATION OF GASOLINE  
19 THAT THE PETITIONER OR REGISTERED SUPPLIERS OR OXYGENATE BLENDERS, AS  
20 DEFINED IN DIVISION RULES, WILL SELL IN LIEU OF GASOLINE MEETING THE  
21 STANDARDS IN SUBSECTION A OR B OF THIS SECTION.

22           ~~4.~~ 3. Specify a PROJECTED time period for compliance with any  
23 provision of THIS SECTION OR section 3-3492, subsection A, not to exceed  
24 sixty days.

25           E. The associate director shall either grant or deny the petition  
26 in writing within seven days of its receipt. Any decision by the  
27 associate director to grant the petition shall be equally applicable to  
28 all registered suppliers or oxygenate blenders and shall not be  
29 selectively applied to any single registered supplier or oxygenate  
30 blender. The petition may be granted only if the associate director  
31 verifies that the basis for requesting the petition is factual.

32           F. The associate director may reauthorize a petition if the  
33 petitioner can demonstrate that the conditions have continued. The  
34 reauthorization of a petition shall not exceed thirty days.

35           G. The associate director of the division shall consult with the  
36 director of the department of environmental quality before granting,  
37 reauthorizing or denying any such petition.

38           H. The ASSOCIATE director OF THE DIVISION, ~~of environmental quality~~  
39 in consultation with the ~~associate~~ director of the ~~division~~ DEPARTMENT OF  
40 ENVIRONMENTAL QUALITY, shall adopt by rule:

41           1. Requirements to implement subsections A, B, C and D of this  
42 section.

43           2. Requirements for recordkeeping, reporting and analytical methods  
44 for fuel providers to demonstrate compliance with subsections A, B, C  
45 and D of this section.

1 I. FOR THE PURPOSES OF SUBSECTION A, PARAGRAPH 6 OF THIS SECTION, A  
2 REGISTERED SUPPLIER OR OXYGENATE BLENDER, AS DEFINED IN DIVISION RULES,  
3 THAT IS NOT A RETAIL SELLER MAY HOLD, POSSESS, TRANSPORT, STORE AND BLEND  
4 AND SELL OR OFFER FOR SALE TO ANOTHER REGISTERED SUPPLIER OR OXYGENATE  
5 BLENDER ALL GASOLINE AND GASOLINE BLENDS THAT DO NOT MEET THE REQUIREMENTS  
6 OF SUBSECTION A, PARAGRAPH 1, 2, 3, 4 OR 5 OF THIS SECTION IF THE GASOLINE  
7 OR GASOLINE BLEND THAT IS ULTIMATELY SOLD OR OFFERED FOR SALE TO THE  
8 PUBLIC BY RELEVANT RETAIL SELLERS THAT SELL OR OFFER FOR SALE GASOLINE OR  
9 A GASOLINE BLEND FOR USE IN MOTOR VEHICLES IN A COUNTY WITH A POPULATION  
10 OF ONE MILLION TWO HUNDRED THOUSAND OR MORE PERSONS AND ANY PORTION OF A  
11 COUNTY CONTAINED IN AREA A AND THAT OBTAIN GASOLINE OR A GASOLINE BLEND  
12 FROM THE REGISTERED SUPPLIER OR OXYGENATE BLENDER OR FROM A REGISTERED  
13 SUPPLIER OR OXYGENATE BLENDER THAT OBTAINED GASOLINE OR A GASOLINE BLEND  
14 FROM THE REGISTERED SUPPLIER OR OXYGENATE BLENDER MEETS THE REQUIREMENTS  
15 OF SUBSECTION A OF THIS SECTION.

16 J. FOR THE PURPOSES OF SUBSECTION B, PARAGRAPH 6 OF THIS SECTION, A  
17 REGISTERED SUPPLIER OR OXYGENATE BLENDER, AS DEFINED IN DIVISION RULES,  
18 THAT IS NOT A RETAIL SELLER MAY HOLD, POSSESS, TRANSPORT, STORE AND BLEND  
19 AND SELL OR OFFER FOR SALE TO ANOTHER REGISTERED SUPPLIER OR OXYGENATE  
20 BLENDER ALL GASOLINE AND GASOLINE BLENDS THAT DO NOT MEET THE REQUIREMENTS  
21 OF ANY PARAGRAPH OF SUBSECTION B OF THIS SECTION IF THE GASOLINE OR  
22 GASOLINE BLEND THAT IS ULTIMATELY SOLD OR OFFERED FOR SALE TO THE PUBLIC  
23 BY RELEVANT RETAIL SELLERS THAT SELL OR OFFER FOR SALE GASOLINE OR A  
24 GASOLINE BLEND FOR USE IN MOTOR VEHICLES IN A COUNTY WITH A POPULATION OF  
25 ONE MILLION TWO HUNDRED THOUSAND OR MORE PERSONS AND ANY PORTION OF A  
26 COUNTY CONTAINED IN AREA A AND THAT OBTAIN GASOLINE OR A GASOLINE BLEND  
27 FROM THE REGISTERED SUPPLIER OR OXYGENATE BLENDER OR FROM A REGISTERED  
28 SUPPLIER OR OXYGENATE BLENDER THAT OBTAINED GASOLINE OR A GASOLINE BLEND  
29 FROM THE REGISTERED SUPPLIER OR OXYGENATE BLENDER MEETS THE REQUIREMENTS  
30 OF SUBSECTION B, PARAGRAPH 6 OF THIS SECTION.

31 ~~I.~~ K. This section does not apply to fuel sold for use at a motor  
32 vehicle manufacturer proving ground or at a motor vehicle racing event.

33 Sec. 4. Section 3-3494, Arizona Revised Statutes, is amended to  
34 read:

35 3-3494. Area C; fuel reformulation; rules; exception

36 A. From and after May 31 through September 30 of each year, all  
37 gasoline ~~produced and shipped to or within this state and~~ sold or offered  
38 for sale for use in motor vehicles in area C shall comply with ~~either~~ ONE  
39 of the following fuel reformulation options:

40 1. A gasoline that meets standards for federal phase II  
41 reformulated gasoline, as provided in 40 Code of Federal Regulations  
42 ~~section 80.41, paragraphs (e) through (h)~~ SECTIONS 1090.200 THROUGH  
43 1090.295, in effect on ~~January 1, 1999, except that the minimum oxygen~~  
44 ~~content standard does not apply~~ DECEMBER 4, 2020. The gasoline shall also

1 meet the maximum vapor pressure requirements in section 3-3434, subsection  
2 ~~D~~ F.

3 2. A GASOLINE THAT MEETS STANDARDS FOR California phase ~~2~~ 3  
4 reformulated gasoline, including alternative formulations allowed by the  
5 predictive model, as adopted by the California air resources board  
6 pursuant to California Code of Regulations title 13, sections 2261 through  
7 2262.7 and 2265, in effect on ~~January 1, 1997, except that the minimum~~  
8 ~~oxygen content standard does not apply. The gasoline shall also meet the~~  
9 ~~maximum vapor pressure requirements in section 3-3434, subsection D~~  
10 FEBRUARY 16, 2014.

11 3. NOTWITHSTANDING SECTION 3-3433, SUBSECTION D, A GASOLINE THAT  
12 MEETS STANDARDS FOR CALIFORNIA PHASE 3 REFORMULATED GASOLINE, INCLUDING  
13 ALTERNATIVE FORMULATIONS ALLOWED BY THE PREDICTIVE MODEL, AS ADOPTED BY  
14 THE CALIFORNIA AIR RESOURCES BOARD PURSUANT TO CALIFORNIA CODE OF  
15 REGULATIONS TITLE 13, SECTIONS 2261 THROUGH 2262.7 AND 2265, IN EFFECT ON  
16 FEBRUARY 16, 2014.

17 4. NOTWITHSTANDING SECTION 3-3433, SUBSECTION D, A GASOLINE THAT  
18 MEETS STANDARDS FOR FEDERAL PHASE II REFORMULATED GASOLINE, AS PROVIDED IN  
19 40 CODE OF FEDERAL REGULATIONS SECTIONS 1090.200 THROUGH 1090.295, IN  
20 EFFECT ON DECEMBER 4, 2020.

21 5. A GASOLINE THAT MEETS STANDARDS FOR CALIFORNIA PHASE 2  
22 REFORMULATED GASOLINE, INCLUDING ALTERNATIVE FORMULATIONS ALLOWED BY THE  
23 PREDICTIVE MODEL, AS ADOPTED BY THE CALIFORNIA AIR RESOURCES BOARD  
24 PURSUANT TO CALIFORNIA CODE OF REGULATIONS TITLE 13, SECTIONS 2261 THROUGH  
25 2262.7 AND 2265, IN EFFECT ON JANUARY 1, 1997, EXCEPT THAT THE MINIMUM  
26 OXYGEN CONTENT STANDARD DOES NOT APPLY. THE GASOLINE SHALL ALSO MEET THE  
27 MAXIMUM VAPOR PRESSURE REQUIREMENTS IN SECTION 3-3434, SUBSECTION D.

28 6. A GASOLINE THAT MEETS STANDARDS FOR FEDERAL CONVENTIONAL  
29 GASOLINE. THE GASOLINE SHALL ALSO MEET THE MAXIMUM VAPOR PRESSURE  
30 REQUIREMENTS IN SECTION 3-3433, SUBSECTION F AND THE MINIMUM OXYGEN  
31 CONTENT OR PERCENTAGE REQUIREMENTS PRESCRIBED IN SECTION 3-3492.

32 7. A GASOLINE OR GASOLINE BLEND THAT MEETS ANY OF THE STANDARDS  
33 PRESCRIBED BY THIS SUBSECTION OR APPROVED FOR USE BY THE UNITED STATES  
34 ENVIRONMENTAL PROTECTION AGENCY.

35 B. Any registered supplier or oxygenate blender, as defined in  
36 division rules, OR THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE  
37 HOUSE OF REPRESENTATIVES JOINTLY may petition the associate director to  
38 request that all ~~registered suppliers or oxygenate blenders~~ RETAIL SELLERS  
39 be allowed to ~~supply~~ SELL OR OFFER FOR SALE gasoline FOR USE IN MOTOR  
40 VEHICLES in area C that does not meet the standards in subsection A of  
41 this section if the petitioner demonstrates that a ~~shortage in the~~  
42 REGISTERED SUPPLIER'S OR OXYGENATE BLENDER'S, AS DEFINED IN DIVISION  
43 RULES, ABILITY TO supply ~~of~~ gasoline ~~meeting~~ THAT MEETS the standards in  
44 subsection A of this section is IN imminent DANGER AND MAY RESULT IN  
45 SUPPLY SHORTAGES OF GASOLINE IN AREA C. IF A REGISTERED SUPPLIER OR

1 OXYGENATE BLENDER, AS DEFINED IN DIVISION RULES, SUBMITS A PETITION  
2 PURSUANT TO THIS SECTION, THE REGISTERED SUPPLIER OR OXYGENATE BLENDER  
3 SHALL PROVIDE NOTICE AND A COPY OF THE PETITION TO THE PRESIDENT OF THE  
4 SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES. FOR THE PURPOSES  
5 OF THIS SUBSECTION, ALL OF THE FOLLOWING ARE EXEMPT FROM THE PROVISIONS OF  
6 TITLE 39, CHAPTER 1:

7 1. A PETITION SUBMITTED BY THE PRESIDENT OF THE SENATE.

8 2. A PETITION SUBMITTED BY THE SPEAKER OF THE HOUSE OF  
9 REPRESENTATIVES.

10 3. ALL COMMUNICATION REGARDING A PETITION BETWEEN THE PRESIDENT OF  
11 THE SENATE OR THEIR AGENT AND ANY OTHER PERSON.

12 4. ALL COMMUNICATION REGARDING A PETITION BETWEEN THE SPEAKER OF  
13 THE HOUSE OF REPRESENTATIVES OR THEIR AGENT AND ANY OTHER PERSON.

14 C. A petition under subsection B of this section shall:

15 ~~1. Identify specific supply conditions that will result in a~~  
16 ~~shortage of gasoline meeting the standards in subsection A of this~~  
17 ~~section.~~

18 ~~2.~~ 1. Identify the formulation of gasoline that THE PETITIONER OR  
19 REGISTERED SUPPLIERS OR OXYGENATE BLENDERS, AS DEFINED IN DIVISION RULES,  
20 will ~~be sold~~ SELL in area C in lieu of gasoline meeting the standards in  
21 subsection A of this section.

22 ~~3.~~ 2. Specify a PROJECTED time period for compliance with the  
23 standards of subsection A of this section not to exceed sixty days.

24 D. The associate director shall either grant or deny a petition  
25 under subsection B of this section in writing within seven days of its  
26 receipt. Any decision by the associate director to grant the petition  
27 shall be equally applicable to all registered suppliers or oxygenate  
28 blenders and shall not be selectively applied to any single registered  
29 supplier or oxygenate blender. The petition may be granted only if the  
30 associate director verifies that the basis for requesting the petition is  
31 factual.

32 E. The associate director may reauthorize a petition granted under  
33 subsection B of this section if the petitioner demonstrates that the  
34 conditions identified in the petition have continued. The reauthorization  
35 of a petition shall not exceed thirty days.

36 F. The associate director of the division shall consult with the  
37 director of the department of environmental quality before granting,  
38 reauthorizing or denying any petition under subsection B of this section.

39 G. The associate director, in consultation with the director of the  
40 department of environmental quality, shall adopt by rule:

41 1. Requirements to implement subsections A, B and C of this  
42 section.

43 2. Requirements for recordkeeping, reporting and analytical methods  
44 for fuel providers to demonstrate compliance with subsection A of this  
45 section.

1 H. This section does not apply to fuel sold for use at a motor  
2 vehicle manufacturer proving ground or at a motor vehicle racing event.

3 Sec. 5. Title 3, chapter 19, article 6, Arizona Revised Statutes,  
4 is amended by adding section 3-3499, to read:

5 3-3499. Fuel reformulations; petition

6 THE PRESIDENT OF THE SENATE OR THE SPEAKER OF THE HOUSE OF  
7 REPRESENTATIVES MAY PETITION THE ASSOCIATE DIRECTOR TO REQUEST ANY  
8 RETAILER SELLER BE ALLOWED TO SELL OR OFFER FOR SALE ANY GASOLINE  
9 FORMULATIONS IN AREA A OR AREA C THAT DO NOT MEET THE STANDARDS PRESCRIBED  
10 BY SECTION 3-3492, 3-3493 OR 3-3494. FOR THE PURPOSES OF THIS SECTION,  
11 ALL OF THE FOLLOWING ARE EXEMPT FROM THE PROVISIONS OF TITLE 39,  
12 CHAPTER 1:

13 1. A PETITION SUBMITTED BY THE PRESIDENT OF THE SENATE.

14 2. A PETITION SUBMITTED BY THE SPEAKER OF THE HOUSE OF  
15 REPRESENTATIVES.

16 3. ALL COMMUNICATION REGARDING A PETITION BETWEEN THE PRESIDENT OF  
17 THE SENATE OR THEIR AGENT AND ANY OTHER PERSON.

18 4. ALL COMMUNICATION REGARDING A PETITION BETWEEN THE SPEAKER OF  
19 THE HOUSE OF REPRESENTATIVES OR THEIR AGENT AND ANY OTHER PERSON.

20 Sec. 6. Submission to United States environmental protection  
21 agency; partial rejection; resubmission

22 A. Within one hundred twenty days of the effective date of this  
23 act, the director of the department of environmental quality shall submit  
24 the proposed modifications to the gasoline fuel formulation requirements  
25 as provided in Laws 2017, chapter 295 and this act as part of the state  
26 implementation plan for air quality to the United States environmental  
27 protection agency for review and approval. If the United States  
28 environmental protection agency rejects a portion of the fuel formulations  
29 authorized by Laws 2017, chapter 295 and this act, before notifying the  
30 director of the Arizona legislative council that the condition has not  
31 been met the department of environmental quality shall resubmit the  
32 proposed modifications to the gasoline fuel formulations to the United  
33 States environmental protection agency authorized by this act that were  
34 not rejected to the United States environmental protection agency for  
35 approval.

36 B. Initial rejection of the gasoline formulations authorized by  
37 this act by the United States environmental protection agency does not  
38 constitute the condition provided in section 7 of this act not being met  
39 or does not prohibit the department of environmental quality from  
40 resubmitting the gasoline formulations pursuant to subsection A of this  
41 section.

42 C. The weights and measures services division of the Arizona  
43 department of agriculture and the division's associate director shall  
44 maintain a list of all approved gasoline formulations by area in this  
45 state on the department's website. The associate director shall update

1 the list as the United States environmental protection agency approves or  
2 denies new gasoline formulations pursuant to this act. The associate  
3 director shall post separately on the department's website both of the  
4 following:

5 1. A map that includes all currently approved gasoline formulations  
6 by area in this state.

7 2. A map of area A, area B and area C as defined in section 49-541,  
8 Arizona Revised Statutes.

9 Sec. 7. Conditional enactment; notice

10 A. Section 3-3493, Arizona Revised Statutes, as amended by Laws  
11 2016, chapter 232, section 27 and this act, and section 3-3494, Arizona  
12 Revised Statutes, as amended by this act, do not become effective unless  
13 on or before July 1, 2025 the United States environmental protection  
14 agency approves the proposed modifications to the gasoline fuel  
15 formulation requirements as part of the state implementation plan for air  
16 quality.

17 B. Section 3-3493, Arizona Revised Statutes, as amended by Laws  
18 2017, chapter 295, section 2 and this act, does not become effective  
19 unless the condition prescribed by Laws 2017, chapter 295, section 3, as  
20 amended by Laws 2022, chapter 177, section 12, is met and on or before  
21 July 1, 2025 the United States environmental protection agency approves  
22 the additional proposed modifications to the gasoline fuel formulation  
23 requirements in this act as part of the state implementation plan for air  
24 quality.

25 C. The director of the department of environmental quality shall  
26 notify the director of the Arizona legislative council in writing on or  
27 before October 1, 2025 either:

28 1. Of the date on which the condition prescribed by subsection A or  
29 B of this section was met.

30 2. That neither condition was met.