

REFERENCE TITLE: gasoline formulations; air quality

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HB 2955

Introduced by
Representative Willoughby

AN ACT

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; 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 3-3493, Arizona Revised Statutes, as amended by
3 Laws 2016, chapter 232, section 27, is amended to read:

4 3-3493. Area A; fuel reformulation; rules

5 ~~A. All gasoline produced and shipped to or within this state and~~
6 ~~sold 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 either of the following fuel~~
12 ~~reformulation options:~~

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

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

26 A. FOR THE PERIOD BEGINNING FROM AND AFTER MARCH 31 THROUGH OCTOBER
27 31 OF EACH YEAR, ALL GASOLINE PRODUCED AND SHIPPED TO OR WITHIN THIS STATE
28 AND SOLD OR OFFERED FOR SALE FOR USE IN MOTOR VEHICLES IN A COUNTY WITH A
29 POPULATION OF ONE MILLION TWO HUNDRED THOUSAND OR MORE PERSONS AND ANY
30 PORTION OF A COUNTY CONTAINED IN AREA A, SUBJECT TO AN APPROPRIATE WAIVER
31 GRANTED BY THE ADMINISTRATOR OF THE UNITED STATES ENVIRONMENTAL PROTECTION
32 AGENCY PURSUANT TO SECTION 211(c)(4) OF THE CLEAN AIR ACT AS DEFINED IN
33 SECTION 49-401.01, SHALL COMPLY WITH STANDARDS FOR ASTM D4814 AND SHALL
34 MEET THE MAXIMUM VAPOR PRESSURE REQUIREMENTS IN SECTION 3-3433,
35 SUBSECTIONS D AND F.

36 B. For the period beginning November 1 through March 31 of each
37 year, all gasoline produced and shipped to or within this state and sold
38 or offered for sale for use in motor vehicles in a county with a
39 population of one million two hundred thousand or more persons and any
40 portion of a county contained in area A, subject to an appropriate waiver
41 granted by the administrator of the United States environmental protection
42 agency pursuant to section 211(c)(4) of the clean air act as defined in
43 section 49-401.01, shall comply with standards for California phase 2
44 reformulated gasoline, including alternative formulations allowed by the
45 predictive model, as adopted by the California air resources board

1 pursuant to California Code of Regulations title 13, sections 2261 through
2 2262.7 and 2265, in effect on January 1, 1997 and shall meet the maximum
3 vapor pressure requirements in section 3-3433, subsections D and F. The
4 fuel described in this subsection shall meet the requirements of section
5 3-3492, subsection A, ~~paragraph 1.~~

6 C. Any registered supplier or oxygenate blender, as defined in
7 division rules, may petition the associate director to request that all
8 registered suppliers or oxygenate blenders be allowed to comply with
9 standards other than the standards prescribed by THIS SECTION OR section
10 3-3492, subsection A if the petitioner can demonstrate that THE
11 PETITIONER'S ABILITY TO SUPPLY ethanol ~~supply shortages are~~ OR GASOLINE
12 MEETING THE SPECIFICATIONS OF SUBSECTION A OR B OF THIS SECTION IS IN
13 imminent DANGER AND MAY RESULT IN SUPPLY SHORTAGES OF ETHANOL AND GASOLINE
14 IN AREA A.

15 D. The petition shall:

16 ~~1. Identify specific supply conditions that will result in a~~
17 ~~shortage of ethanol.~~

18 1. FOR OXYGENATE SHORTAGES:

19 ~~2.~~ (a) Identify which oxygenate or oxygenates and the
20 concentration that will be blended into gasoline BY THE PETITIONER for
21 sale or use in area A.

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

27 2. FOR GASOLINE SHORTAGES, IDENTIFY THE FORMULATION OF GASOLINE
28 THAT THE PETITIONER WILL SELL IN LIEU OF GASOLINE MEETING THE STANDARDS IN
29 SUBSECTION A OR B OF THIS SECTION.

30 ~~4.~~ 3. Specify a PROJECTED time period for compliance with any
31 provision of THIS SECTION AND section 3-3492, subsection A, not to exceed
32 sixty days.

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

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

43 G. The associate director of the division shall consult with the
44 director of the department of environmental quality before granting,
45 reauthorizing or denying any such petition.

1 H. The ASSOCIATE director, ~~of environmental quality~~ in consultation
2 with the ~~associate~~ director of the ~~division~~ DEPARTMENT OF ENVIRONMENTAL
3 QUALITY, shall adopt by rule:

4 1. Requirements to implement subsections A, B, C and D of this
5 section.

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

9 I. This section does not apply to fuel sold for use at a motor
10 vehicle manufacturer proving ground or at a motor vehicle racing event.

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

13 3-3493. Area A; fuel reformulation; rules

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

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

28 ~~2. California phase 2 reformulated gasoline, including alternative~~
29 ~~formulations allowed by the predictive model, as adopted by the California~~
30 ~~air resources board pursuant to California Code of Regulations title 13,~~
31 ~~sections 2261 through 2262.7 and 2265, in effect on January 1, 1997,~~
32 ~~except that the minimum oxygen content standard does not apply. The~~
33 ~~gasoline shall also meet the maximum vapor pressure requirements in~~
34 ~~section 3-3433, subsections D and F.~~

35 A. FOR THE PERIOD BEGINNING FROM AND AFTER MARCH 31 THROUGH OCTOBER
36 31 OF EACH YEAR, ALL GASOLINE PRODUCED AND SHIPPED TO OR WITHIN THIS STATE
37 AND SOLD 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 STANDARDS FOR ASTM D4814 AND SHALL
43 MEET THE MAXIMUM VAPOR PRESSURE REQUIREMENTS IN SECTION 3-3433,
44 SUBSECTIONS D AND F.

1 B. For the period beginning November 1 through March 31 of each
2 year, all gasoline produced and shipped to or within this state and sold
3 or offered for sale for use in motor vehicles in a county with a
4 population of one million two hundred thousand or more persons and any
5 portion of a county contained in area A, subject to an appropriate waiver
6 granted by the administrator of the United States environmental protection
7 agency pursuant to section 211(c)(4) of the clean air act as defined in
8 section 49-401.01, shall comply with standards for California phase 2
9 reformulated gasoline, including alternative formulations allowed by the
10 predictive model, as adopted by the California air resources board
11 pursuant to California Code of Regulations title 13, sections 2261 through
12 2262.7 and 2265, in effect on January 1, 1997 and shall meet the maximum
13 vapor pressure requirements in section 3-3433, subsections D and F. The
14 fuel described in this subsection shall meet the requirements of section
15 3-3492, subsection A, ~~paragraph 1 or 2.~~

16 C. Any registered supplier or oxygenate blender, as defined in
17 division rules, may petition the associate director to request that all
18 registered suppliers or oxygenate blenders be allowed to comply with
19 standards other than the standards prescribed by THIS SECTION OR section
20 3-3492, subsection A if the petitioner can demonstrate that THE
21 PETITIONER'S ABILITY TO SUPPLY ethanol ~~supply shortages are~~ OR GASOLINE
22 MEETING THE SPECIFICATIONS OF SUBSECTION A OR B OF THIS SECTION IS IN
23 imminent DANGER AND MAY RESULT IN SUPPLY SHORTAGES OF ETHANOL AND GASOLINE
24 IN AREA A.

25 D. The petition shall:

26 ~~1. Identify specific supply conditions that will result in a~~
27 ~~shortage of ethanol.~~

28 1. FOR OXYGENATE SHORTAGES:

29 ~~2.~~ (a) Identify which oxygenate or oxygenates and the
30 concentration that will be blended into gasoline BY THE PETITIONER for
31 sale or use in area A.

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

37 2. FOR GASOLINE SHORTAGES, IDENTIFY THE FORMULATION OF GASOLINE
38 THAT THE PETITIONER WILL SELL IN LIEU OF GASOLINE MEETING THE STANDARDS IN
39 SUBSECTION A OR B OF THIS SECTION.

40 ~~4.~~ 3. Specify a PROJECTED time period for compliance with any
41 provision of THIS SECTION OR section 3-3492, subsection A, not to exceed
42 sixty days.

43 E. The associate director shall either grant or deny the petition
44 in writing within seven days of its receipt. Any decision by the
45 associate director to grant the petition shall be equally applicable to

1 all registered suppliers or oxygenate blenders and shall not be
2 selectively applied to any single registered supplier or oxygenate
3 blender. The petition may be granted only if the associate director
4 verifies that the basis for requesting the petition is factual.

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

8 G. The associate director of the division shall consult with the
9 director of the department of environmental quality before granting,
10 reauthorizing or denying any such petition.

11 H. The ASSOCIATE director, ~~of environmental quality~~ in consultation
12 with the ~~associate~~ director of the ~~division~~ DEPARTMENT OF ENVIRONMENTAL
13 QUALITY, shall adopt by rule:

14 1. Requirements to implement subsections A, B, C and D of this
15 section.

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

19 I. This section does not apply to fuel sold for use at a motor
20 vehicle manufacturer proving ground or at a motor vehicle racing event.

21 Sec. 3. Section 3-3494, Arizona Revised Statutes, is amended to
22 read:

23 3-3494. Area C; fuel reformulation; rules

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

28 ~~1. A gasoline that meets standards for federal phase II~~
29 ~~reformulated gasoline, as provided in 40 Code of Federal Regulations~~
30 ~~section 80.41, paragraphs (e) through (h), in effect on January 1, 1999,~~
31 ~~except that the minimum oxygen content standard does not apply. The~~
32 ~~gasoline shall also meet the maximum vapor pressure requirements in~~
33 ~~section 3-3434, subsection D.~~

34 ~~2. California phase 2 reformulated gasoline, including alternative~~
35 ~~formulations allowed by the predictive model, as adopted by the California~~
36 ~~air resources board pursuant to California Code of Regulations title 13,~~
37 ~~sections 2261 through 2262.7 and 2265, in effect on January 1, 1997,~~
38 ~~except that the minimum oxygen content standard does not apply. The~~
39 ~~gasoline shall also meet the maximum vapor pressure requirements in~~
40 ~~section 3-3434, subsection D.~~

41 A. FOR THE PERIOD BEGINNING FROM AND AFTER MARCH 31 THROUGH OCTOBER
42 31 OF EACH YEAR, ALL GASOLINE PRODUCED AND SHIPPED TO OR WITHIN THIS STATE
43 AND SOLD OR OFFERED FOR SALE FOR USE IN MOTOR VEHICLES IN AREA C, SUBJECT
44 TO AN APPROPRIATE WAIVER GRANTED BY THE ADMINISTRATOR OF THE UNITED STATES
45 ENVIRONMENTAL PROTECTION AGENCY PURSUANT TO SECTION 211(c)(4) OF THE CLEAN

1 AIR ACT AS DEFINED IN SECTION 49-401.01, SHALL COMPLY WITH STANDARDS FOR
2 ASTM D4814 AND SHALL MEET THE MAXIMUM VAPOR PRESSURE REQUIREMENTS IN
3 SECTION 3-3433, SUBSECTION D.

4 B. Any registered supplier or oxygenate blender, as defined in
5 division rules, may petition the associate director to request that all
6 registered suppliers or oxygenate blenders be allowed to supply gasoline
7 in area C that does not meet the standards in subsection A of this section
8 if the petitioner demonstrates that ~~a shortage in~~ the PETITIONER'S ABILITY
9 TO supply ~~of~~ gasoline meeting the standards in subsection A of this
10 section is IN imminent DANGER AND MAY RESULT IN SUPPLY SHORTAGES OF
11 GASOLINE IN AREA C.

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

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

16 ~~2.~~ 1. Identify the formulation of gasoline that THE PETITIONER
17 will ~~be sold~~ SELL in area C in lieu of gasoline meeting the standards in
18 subsection A of this section.

19 ~~3.~~ 2. Specify a PROJECTED time period for compliance with the
20 standards of subsection A of this section not to exceed sixty days.

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

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

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

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

38 1. Requirements to implement subsections A, B and C of this
39 section.

40 2. Requirements for recordkeeping, reporting and analytical methods
41 for fuel providers to demonstrate compliance with subsection A of this
42 section.

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

1 Sec. 4. Conditional enactment; notice

2 A. Section 3-3493, Arizona Revised Statutes, as amended by Laws
3 2016, chapter 232, section 27 and this act, and section 3-3494, Arizona
4 Revised Statutes, as amended by this act, do not become effective unless
5 on or before July 1, 2030 the United States environmental protection
6 agency approves the proposed modifications to the gasoline fuel
7 formulation requirements as part of the state implementation plan for air
8 quality.

9 B. Section 3-3493, Arizona Revised Statutes, as amended by Laws
10 2017, chapter 295, section 2 and this act, does not become effective
11 unless the condition prescribed by Laws 2017, chapter 295, section 3, as
12 amended by Laws 2022, chapter 177, section 12 and Laws 2024, chapter 70,
13 section 1, is met and on or before July 1, 2030 the United States
14 environmental protection agency approves the proposed modifications to the
15 gasoline fuel formulation requirements as part of the state implementation
16 plan for air quality.

17 C. The director of the department of environmental quality shall
18 notify in writing the director of the Arizona legislative council on or
19 before October 1, 2030 either:

- 20 1. Of the date on which the condition prescribed by subsection A or
21 B of this section was met.
22 2. That neither condition was met.