

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 698**

Introduced by Christensen, 44.

Read first time January 19, 2011

Committee: Agriculture

A BILL

1 FOR AN ACT relating to motor fuel; to amend sections 66-1214 and  
2 89-186, Reissue Revised Statutes of Nebraska; to  
3 eliminate labeling requirements for alcohol-blended fuel;  
4 and to repeal the original sections.  
5 Be it enacted by the people of the State of Nebraska,

1                   Section 1. Section 66-1214, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3                   66-1214 ~~Commencing January 1, 1986, motor~~ Motor fuel  
4 dispensers shall be labeled on both faces with the product identity  
5 using the most descriptive terms commercially practicable. ~~In~~  
6 ~~addition, all alcohol-blended fuel dispensers shall have a label~~  
7 ~~stating: With or containing ethanol, methanol, or ethanol and~~  
8 ~~methanol or with similar wording if the motor fuel being dispensed~~  
9 ~~contains one percent or more by volume of alcohol.~~ Any person who  
10 owns or controls such a motor fuel dispenser and does not attach the  
11 notice required by this section shall be guilty of an infraction.

12                   Sec. 2. Section 89-186, Reissue Revised Statutes of  
13 Nebraska, is amended to read:

14                   89-186 (1) The Legislature hereby adopts by reference the  
15 following:

16                   (a) The standards of the National Conference on Weights  
17 and Measures published in National Institute of Standards and  
18 Technology Handbook 44 entitled Specifications, Tolerances, and Other  
19 Technical Requirements for Weighing and Measuring Devices as it  
20 existed on January 1, 2003, except Section 3.31. Vehicle - Tank  
21 meters. UR.2.2. Ticket Printers; Customer Ticket, Section 2.20.  
22 Scales, N.3. Minimum Test Weights and Test Loads; and Table 4, are  
23 not adopted. In addition to the language found in Section 3.30.  
24 Liquid-Measuring Devices, S.1.6.4., S.1.6.5., UR.3.2., and UR.3.3. of  
25 such handbook, any computing device in which a product or grade is

1 offered for sale at more than one unit price may also compute at the  
2 lowest possible unit price for such transaction. All prices shall  
3 still be displayed or posted on the face of the dispenser. Such  
4 handbook shall govern all commercial and law enforcement weighing and  
5 measuring devices in the state;

6 (b) The Uniform Regulation for the Method of Sale of  
7 Commodities of the National Conference on Weights and Measures  
8 published in National Institute of Standards and Technology Handbook  
9 130 entitled Uniform Laws and Regulations as it existed on January 1,  
10 2003, except section 2.20. Such handbook shall be used to determine  
11 the proper units of measurement to be used in the keeping for sale or  
12 sale of commodities;

13 (c) The Uniform Packaging and Labeling Regulation of the  
14 National Conference on Weights and Measures published in National  
15 Institute of Standards and Technology Handbook 130 entitled Uniform  
16 Laws and Regulations as it existed on January 1, 2003. Such handbook  
17 shall govern the packaging and labeling by weight, measure, or count  
18 of commodities kept for sale or sold in this state; and

19 (d) The procedures designated in National Institute of  
20 Standards and Technology Handbook 133 entitled Checking the Net  
21 Contents of Packaged Goods as it existed on January 1, 2003.

22 (2) Copies of the handbooks adopted by reference in this  
23 section shall be filed with the Secretary of State, Clerk of the  
24 Legislature, and Department of Agriculture.

25 (3) Whenever there exists an inconsistency between the

1 provisions of the Weights and Measures Act other than this section  
2 and any of the handbooks adopted by reference, the requirements of  
3 such provisions of the act shall control.

4                   Sec. 3. Original sections 66-1214 and 89-186, Reissue  
5 Revised Statutes of Nebraska, are repealed.