

**ASSEMBLY BILL**

**No. 1048**

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**Introduced by Assembly Member Gray**

February 22, 2013

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An act to add Section 13452 to the Business and Professions Code, relating to petroleum products.

LEGISLATIVE COUNSEL'S DIGEST

AB 1048, as introduced, Gray. Petroleum products: fuel terminals: biodiesel.

Existing law requires the Department of Food and Agriculture to establish specifications for compression-ignition engine fuel, kerosene, and fuel oil and prohibits sales of those regulated petroleum products unless labeled, as specified.

This bill would prohibit a fuel terminal, as defined, from selling diesel fuel combined with biodiesel unless the specific amount of biodiesel blended with the diesel, either by percent or by actual gallons, is disclosed on the fuel invoice or product transfer document, as specified. By expanding the scope of an existing crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 13452 is added to the Business and  
2 Professions Code, to read:

3 13452. (a) For purposes of this section, “fuel terminal” means  
4 a storage and distribution facility not open to the public that is  
5 used primarily for wholesale marketing of petroleum products and  
6 oxygenates with a minimum storage capacity of 50,000 barrels.

7 (b) A fuel terminal shall not sell diesel fuel combined with  
8 biodiesel unless the specific amount of biodiesel blended with the  
9 diesel, either by percent or by actual gallons, is disclosed on the  
10 fuel invoice or product transfer document. If percent of fuel is  
11 selected as the disclosure, percent shall be calculated to the  
12 one-tenth of one percent.

13 SEC. 2. No reimbursement is required by this act pursuant to  
14 Section 6 of Article XIII B of the California Constitution because  
15 the only costs that may be incurred by a local agency or school  
16 district will be incurred because this act creates a new crime or  
17 infraction, eliminates a crime or infraction, or changes the penalty  
18 for a crime or infraction, within the meaning of Section 17556 of  
19 the Government Code, or changes the definition of a crime within  
20 the meaning of Section 6 of Article XIII B of the California  
21 Constitution.

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