

ASSEMBLY, No. 1887

STATE OF NEW JERSEY 216th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2014 SESSION

Sponsored by:

Assemblyman JOHN J. BURZICHELLI

District 3 (Cumberland, Gloucester and Salem)

Assemblywoman CELESTE M. RILEY

District 3 (Cumberland, Gloucester and Salem)

SYNOPSIS

Requires toll road authorities to award contracts for motor fuel services on toll roads to retail dealers who dispense motor fuel provided by suppliers with refineries located in this State.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT concerning the toll road authorities and supplementing
2 P.L.1948, c.454 (C.27:23-1 et seq.) and P.L. 1991, c.252
3 (C.27:25A-1 et seq.).
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. a. As used in this section:

9 "Blended fuel" means a mixture composed of motor fuel and
10 another liquid, including blend stock other than a de minimis
11 amount of a product such as carburetor detergent or oxidation
12 inhibitor, that can be used as a fuel in a highway vehicle. "Blended
13 fuel" includes but is not limited to gasohol, biodiesel, ethanol,
14 methanol, fuel grade alcohol, diesel fuel enhancers, and resulting
15 blends.

16 "Branded motor fuel" means that motor fuel which a retail dealer
17 sells using the trade name of the refiner or supplier.

18 "Diesel fuel" means a liquid that is commonly or commercially
19 known or sold as a fuel that is suitable for use in a diesel-powered
20 highway vehicle. A liquid meets this requirement if, without
21 further processing or blending, the liquid has practical and
22 commercial fitness for use in the propulsion engine of a diesel-
23 powered highway vehicle. "Diesel fuel" includes biodiesel, number
24 1 and number 2 diesel.

25 "Distributor" or "refiner" or "supplier" means and includes every
26 person, wherever resident or located, who imports or causes to be
27 imported into this State motor fuels for distribution or sale after the
28 same shall reach this State, whether in the original packages or
29 containers in which it is imported or otherwise; and also any person
30 who produces, refines, manufactures, blends or compounds or
31 causes to be produced, refined, manufactured, blended or
32 compounded fuels and distributes or sells the same within this
33 State.

34 "Gasoline" means all products commonly or commercially
35 known or sold as gasoline that are suitable for use as a motor fuel.
36 Gasoline does not include products that have an ASTM octane
37 number of less than 75 as determined by the "motor method,"
38 ASTM D2700-92. The term does not include racing gasoline or
39 aviation gasoline, but for administrative purposes does include fuel
40 grade alcohol.

41 "Kerosene" means the petroleum fraction containing
42 hydrocarbons that are slightly heavier than those found in gasoline
43 and naphtha, with a boiling range of 149 to 300 degrees Celsius.

44 "Motor fuel" means gasoline, diesel fuel, kerosene and blended
45 fuel.

46 "Refinery" means a facility used to produce motor fuel from
47 crude oil, unfinished oils, natural gas liquids, or other hydrocarbons

1 and from which motor fuel may be removed by pipeline, by ship or
2 barge, or at a rack.

3 “Retail dealer” means a person that engages in the business of
4 selling or dispensing motor fuel to the consumer within this State.

5 b. Following the effective date of this act, the New Jersey
6 Turnpike Authority shall not enter into any contract with a retail
7 dealer, distributor, refiner, or supplier for the right to sell branded
8 motor fuel on the New Jersey Turnpike or the Garden State
9 Parkway unless that branded motor fuel is provided by a distributor,
10 refiner, or supplier that operates a refinery in the State.

11

12 2. a. As used in this section:

13 “Blended fuel” means a mixture composed of motor fuel and
14 another liquid, including blend stock other than a de minimis
15 amount of a product such as carburetor detergent or oxidation
16 inhibitor, that can be used as a fuel in a highway vehicle. “Blended
17 fuel” includes but is not limited to gasohol, biodiesel, ethanol,
18 methanol, fuel grade alcohol, diesel fuel enhancers, and resulting
19 blends.

20 “Branded motor fuel” means that motor fuel which a retail dealer
21 sells using the trade name of the refiner or supplier.

22 “Diesel fuel” means a liquid that is commonly or commercially
23 known or sold as a fuel that is suitable for use in a diesel-powered
24 highway vehicle. A liquid meets this requirement if, without
25 further processing or blending, the liquid has practical and
26 commercial fitness for use in the propulsion engine of a diesel-
27 powered highway vehicle. “Diesel fuel” includes biodiesel, number
28 1 and number 2 diesel.

29 “Distributor” or “refiner” or “supplier” means and includes every
30 person, wherever resident or located, who imports or causes to be
31 imported into this State motor fuels for distribution or sale after the
32 same shall reach this State, whether in the original packages or
33 containers in which it is imported or otherwise; and also any person
34 who produces, refines, manufactures, blends or compounds or
35 causes to be produced, refined, manufactured, blended or
36 compounded fuels and distributes or sells the same within this
37 State.

38 “Gasoline” means all products commonly or commercially
39 known or sold as gasoline that are suitable for use as a motor fuel.
40 Gasoline does not include products that have an ASTM octane
41 number of less than 75 as determined by the “motor method,”
42 ASTM D2700-92. The term does not include racing gasoline or
43 aviation gasoline, but for administrative purposes does include fuel
44 grade alcohol.

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46 hydrocarbons that are slightly heavier than those found in gasoline
47 and naphtha, with a boiling range of 149 to 300 degrees Celsius.

1 “Motor fuel” means gasoline, diesel fuel, kerosene, and blended
2 fuel.

3 “Refinery” means a facility used to produce motor fuel from
4 crude oil, unfinished oils, natural gas liquids, or other hydrocarbons
5 and from which motor fuel may be removed by pipeline, by ship or
6 barge, or at a rack.

7 “Retail dealer” means a person that engages in the business of
8 selling or dispensing motor fuel to the consumer within this State.

9 b. Following the effective date of this act, the South Jersey
10 Transportation Authority shall not enter into any contract with a
11 retail dealer, distributor, refiner, or supplier for the right to sell
12 branded motor fuel on the Atlantic City Expressway unless that
13 branded motor fuel is provided by a distributor, refiner, or supplier
14 that operates a refinery in the State.

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16 3. This act shall take effect immediately.

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STATEMENT

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21 This bill prohibits the New Jersey Turnpike Authority and the
22 South Jersey Transportation Authority from entering into a contract
23 with a retail dealer, distributor, refiner, or supplier of motor fuel for
24 the right to sell branded motor fuel on the State’s toll roads unless
25 that that branded motor fuel is provided by a distributor, refiner, or
26 supplier that operates a refinery in the State.