

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
THIRTIETH GUAM LEGISLATURE
2010 (SECOND) REGULAR SESSION

BILL NO. 327 -30(00)

Introduced by:

v.c. pangelinan

AN ACT TO AMEND §§2301(e) AND 2303(b), AND TO
ADD A NEW §2303 (g) TO ARTICLE 3, CHAPTER 2
OF TITLE 11 GUAM CODE ANNOTATED RELATIVE
TO PETROLEUM SALE, ACCOUNTING AND
INSPECTION OF PETROLEUM PRODUCTS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* has received a request from the Department of Revenue and Taxation for assistance in implementing the temperature compensation calibration of retail gasoline dispensing pumps. In March 2008, the Weights and Measures Branch of the Department of Revenue and Taxation obtained two (2) five (5) gallon Metal Prover calibrated for eighty-five Fahrenheit (85°F) Reference Temperature. There are nine hundred ninety-three (993) meters being used with gas dispensers located in forty-seven (47) Gas Stations throughout the island dispensing gasoline. The gas companies are not in compliant with the temperature compensation calibration because the gas pumps they are using have a rated capacity of twenty five (25) gallons per minute or less.

It is the intent of *I Liheslaturan Guåhan* to remove this loophole so that the Weights and Measures Branch of the Department of Revenue and Taxation could calibrate the meters. The price of gasoline makes it imperative that this government ensures that our people receive the correct quantity of gasoline in exchange for their hard earned dollars. *I Liheslaturan Guåhan* further intends to require the gasoline companies as they renovate an existing Gas Station to replace the existing gas pump with state of the art pumps equipped with automatic temperature compensation calibration apparatus. New Gas Stations shall be required to be equipped with gas pumps with automatic temperature compensation calibration

1 apparatus. The sale of motor oil and gasoline additives shall be exempted
2 from this act.

3 **Section 2. Amendment of § 2301(e).** Section 2301(e) of Chapter 2,
4 Article 3 of Title 11 Guam Code Annotated is hereby amended to read as
5 follows:

6 “§2301(e) ‘*Petroleum products*’ include automotive gasoline; diesel
7 fuels; fuel oils; liquefied petroleum gas (both liquid and vapor); residuals,
8 distillates and fractions; kerosene; aviation fuels; turbine fuels; solvent;
9 hydro-carbons or synthetics; crude oil; lubrication oil; or any other oil or
10 distillates or blends of the above, or any other product or byproduct normally
11 considered petroleum product and synthetic natural gas, or natural gas and
12 manufactured gas or blends. This section shall not apply to motor oil sold in
13 quart size or gallon containers; performance fuel additives or engine
14 cleaners.

15 **Section 3. Amendment of § 2303(b).** Section 2303(b) of Chapter 2,
16 Article 3 of Title 11 Guam Code Annotated is hereby amended to read as
17 follows:

18 “§2303(b) All metered sales by the gallon or liter, ~~except those using~~
19 ~~meters with a maximum rated capacity of twenty five (25) gallons per~~
20 ~~minute or less,~~ shall be accomplished by the use of a meter and/or device
21 that automatically compensates for temperature.

22 **Section 4. Addition of new §2303(g).** A new §2303(g) is hereby
23 added to Chapter 2, Article 3 of Title 11 Guam Code Annotated to read as
24 follows:

25 “§2303(g) All existing Gas Stations shall comply with §2303(b)
26 within six (6) months after enactment. All proposed new Gas Stations shall
27 use gas pumps equipped with automatic temperature compensation
28 calibration apparatus.

29 **Section 5. Effective Date.** This Act shall be effective upon
30 enactment.