

## **Readoption Review**

### **Motor Fuel 410 IAC 12.1**

IC 4-22-2.5-3.1(c) requires an agency to conduct a review to consider whether there are alternative methods of achieving the purpose of the rule that are less costly or less intrusive, or that would minimize the economic impact of the proposed rule on small business.

#### **Description of Rule:**

This rule provides for the inspection of gasoline for octane rating and the proper labelling of gasoline on gasoline pumps by the Indiana State Department Division of Weights, Measures and Metrology (Weights and Measures).

#### **Readoption Analysis:**

**1) Is there a continued need for this rule? Please explain.**

Yes. Weights and Measures continues to inspect gasoline sold in the state for octane rating. Weights and Measures also ensures that the labelling on the pump agrees with the octane rating. The consumer will get what is promised on the pump.

**2) What is the nature of any complaints or comments received from the public, including small business, concerning the rule or the implementation of the rule by the agency?**

Complaints received are about cars that have broken down or had engine problems after purchasing gasoline. Weights and Measures investigates every complaint to determine if the gasoline at the pump where the car was filled up was of the correct octane rating. There have been no complaints or comments about the rule or implementation of the rule itself.

**3) Examine the complexity of the rule, including difficulties encountered by the agency in administering the rule and small businesses in complying with the rule.**

The rule is not a complex rule. Weights and Measures uses equipment that makes determinations and registers octane rating. The agency has encountered no difficulties in administering the rule. We have not been made aware of any difficulties of small businesses in complying with the rule. Virtually all retail motor fuel outlets found to have incorrect octane ratings, immediately shut down the pumps and rectify the problem.

**4) To what extent does the rule overlap, duplicate, or conflict with other federal, state, or local laws, rules, regulations, or ordinances?**

The rule does not overlap, duplicate or conflict with other federal, state or local laws, rules or ordinances. There are no federal or local laws or ordinances regarding octane ratings of gasoline. The rule adopts the standards that are adopted by other states in order to keep requirements standard nationwide.

**5) When was the last time the rule was reviewed under this section or otherwise evaluated by the agency, and the degree to which technology, economic conditions, or other factors have changed in the area affected by this rule since that time?**

The last time the rule was reviewed under this section or otherwise evaluated was 2013. There has been no change due to technology, economic conditions, or other factors.

August 19, 2019