

1-1 By: Gerdes (Senate Sponsor - Blanco) H.B. No. 4690  
 1-2 (In the Senate - Received from the House May 15, 2025;  
 1-3 May 15, 2025, read first time and referred to Committee on Business  
 1-4 & Commerce; May 22, 2025, reported favorably by the following vote:  
 1-5 Yeas 11, Nays 0; May 22, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to motor fuel measuring, quality, and testing standards.  
 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-23 SECTION 1. Section 2310.060(a-1), Occupations Code, is  
 1-24 amended to read as follows:  
 1-25 (a-1) In implementing this section, the department or an  
 1-26 authorized representative of the department shall:  
 1-27 (1) follow the standards and procedures described by  
 1-28 Section 2310.203 [adopted by the department] for collecting,  
 1-29 sampling, and handling motor fuel;  
 1-30 (2) obtain the approval of the executive director or  
 1-31 the executive director's designee before taking any action under  
 1-32 this section; and  
 1-33 (3) place a tag or other notice on each motor fuel  
 1-34 dispensing device subject to an order issued by the department  
 1-35 under this section.  
 1-36 SECTION 2. Section 2310.107, Occupations Code, is amended  
 1-37 to read as follows:  
 1-38 Sec. 2310.107. TOLERANCES. The commission shall by rule  
 1-39 set the specifications [Specifications] and tolerances for motor  
 1-40 fuel metering devices to [shall] be the same as the most recently  
 1-41 adopted or amended standards [those] recommended by the National  
 1-42 Institute of Standards and Technology at the time the device is  
 1-43 used.  
 1-44 SECTION 3. Subchapter E, Chapter 2310, Occupations Code, is  
 1-45 amended by adding Section 2310.2016 to read as follows:  
 1-46 Sec. 2310.2016. MOTOR FUEL QUALITY STANDARDS. (a) The  
 1-47 commission shall by rule set the minimum quality standards for  
 1-48 motor fuel sold or offered for sale in this state to the most  
 1-49 recently adopted or amended petroleum standards on the date of the  
 1-50 sale by ASTM International.  
 1-51 (b) The commission shall adopt rules to ensure that, except  
 1-52 as provided by Section 2310.2031, gasoline or gasoline blended with  
 1-53 ethanol that is sold or offered for sale in this state meets the  
 1-54 standard specification requirements applicable to the period and  
 1-55 region, as described in the most recent edition of ASTM  
 1-56 International's publication D4814, "Standard Specification for  
 1-57 Automotive Spark-Ignition Engine Fuel."  
 1-58 SECTION 4. The heading to Section 2310.203, Occupations  
 1-59 Code, is amended to read as follows:  
 1-60 Sec. 2310.203. [TESTING OF] MOTOR FUEL QUALITY TESTING  
 1-61 STANDARDS AND PROCEDURES.

2-1 SECTION 5. Sections 2310.203(a) and (c-1), Occupations  
2-2 Code, are amended to read as follows:

2-3 (a) The department or an authorized representative of the  
2-4 department may collect samples and conduct testing at any location  
2-5 where motor fuel is kept, transferred, sold, or offered for sale to  
2-6 verify that the motor fuel complies with the motor fuel quality  
2-7 [minimum] standards described [required] by Section 2310.2016  
2-8 [2310.202].

2-9 (c-1) The commission shall adopt rules regulating the  
2-10 methods and procedures applicable to motor fuel testing under this  
2-11 section. The rules adopted under this subsection must provide that  
2-12 the applicable standard for motor fuel testing is ASTM  
2-13 International's most recently adopted or amended standard on the  
2-14 date of the test.

2-15 SECTION 6. Subchapter E, Chapter 2310, Occupations Code, is  
2-16 amended by adding Section 2310.2031 to read as follows:

2-17 Sec. 2310.2031. EXCEPTIONS TO MOTOR FUEL QUALITY STANDARDS.

2-18 (a) Gasoline or gasoline blended with ethanol that is sold or  
2-19 offered for sale in this state during periods when areas adjacent to  
2-20 the meridian of 99° 00' west longitude line on opposite sides of the  
2-21 line have different volatility classes under the most recently  
2-22 adopted Schedule of U.S. Seasonal and Geographic Volatility Classes  
2-23 in ASTM International's publication D4814, "Standard Specification  
2-24 for Automotive Spark-Ignition Engine Fuel," conforms with this  
2-25 chapter and commission rules if it complies with the volatility  
2-26 class for either area.

2-27 (b) Gasoline sold or offered for sale in this state conforms  
2-28 with this chapter and rules set by the commission if it meets or  
2-29 exceeds the most recently adopted Driveability Index prescribed by  
2-30 the Vapor Pressure and Distillation Class Requirements for vapor  
2-31 pressure or distillation classes AAA, AA, or A under ASTM  
2-32 International's publication D4814, "Standard Specification for  
2-33 Automotive Spark-Ignition Engine Fuel."

2-34 (c) Gasoline blended with up to 15 volume percent ethanol is  
2-35 granted a vapor pressure tolerance waiver of 1.0 pound per square  
2-36 inch except for gasoline blends sold or offered for sale beginning  
2-37 May 1 and ending October 1 each year in counties required to comply  
2-38 with low emissions motor fuel standards.

2-39 (d) Seasonal specifications for vapor pressure may be  
2-40 extended for a maximum period of 15 days to allow for the  
2-41 distribution of existing stocks. New stocks of a higher volatility  
2-42 classification may not be offered for retail sale in this state  
2-43 before the effective date of the higher volatility classification.

2-44 (e) The vapor-to-liquid ratio specification under this  
2-45 section does not apply to gasoline or gasoline ethanol blends.

2-46 (f) This section may not be construed to interfere with  
2-47 regulations for low emissions motor fuels adopted by this state to  
2-48 comply with federal law.

2-49 SECTION 7. Section 2310.202, Occupations Code, is repealed.

2-50 SECTION 8. The changes in law made by this Act apply only to  
2-51 a violation committed on or after the effective date of this Act. A  
2-52 violation committed before the effective date of this Act is  
2-53 governed by the law in effect when the violation was committed, and  
2-54 the former law is continued in effect for that purpose. For  
2-55 purposes of this section, a violation was committed before the  
2-56 effective date of this Act if any element of the violation was  
2-57 committed before that date.

2-58 SECTION 9. This Act takes effect immediately if it receives  
2-59 a vote of two-thirds of all the members elected to each house, as  
2-60 provided by Section 39, Article III, Texas Constitution. If this  
2-61 Act does not receive the vote necessary for immediate effect, this  
2-62 Act takes effect September 1, 2025.

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