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# DAN KNODL

STATE REPRESENTATIVE • 24<sup>TH</sup> ASSEMBLY DISTRICT

## **Assembly Bill 382**

Written Testimony

Assembly Committee on Regulatory Licensing Reform

October 31, 2019

Thank you, Chairman Horlacher for allowing me the opportunity to provide input on Assembly Bill 382.

This proposal would increase the allowable threshold for amount of ethanol to be dispensed through the same hose at a gas station from E-10 to E-15.

While this may seem like an innocuous change, there could be various unintended consequences that follow this decision. Many small engines throughout the state are negatively impacted by running gasoline with any degree of ethanol added to that gasoline. Motorcycles are specifically vulnerable to damage from this increased amount of ethanol added to gasoline. Proponents of this bill have downplayed the “limited” amount of E-15 gasoline that could possibly be left in the hose at the station as inconsequential. In the big picture they may be right, but that “small” amount of E-15 deposited into a small three gallon tank can without a doubt be consequential to the operations of that motor. Beyond the direct impact, there is legitimate concern that any usage of E-15 in motorcycle engines could void factory warranties. If in fact this would happen, who is liable for the damage caused?

The marine industry is another segment that could be negatively impacted by this increased level of ethanol. I believe you will hear or receive testimony from the marine industry highlighting the damage that can occur when E-15 is used in marine engines. Through my business experience maintaining and renting numerous boats, I have seen the real world impact of fuel blends including increased ethanol levels.

I highly encourage committee members to rethink this legislation and weigh the potential damage that could be done to small engines prior to advancing this legislation for a committee vote. Thank you for your consideration.



**DAN FEYEN**

**STATE SENATOR**

18th Senate District  
(608) 266-5300  
Sen.Feyen@legis.wi.gov

PO Box 7882, Madison, WI 53707-7882  
<http://legis.wisconsin.gov/senate/18/feyen>

To: The Assembly Committee on Regulatory Licensing Reform  
From: Sen. Dan Feyen  
Re: Assembly Bill 382

Mr. Chair, members of the committee, thank you for holding this hearing today.

This legislation seeks to align Wisconsin law with federal law in its regulation of gas pumps.

Under current law gas pumps may not dispense fuel blends of more than 10% ethanol and less than 10% ethanol through the same hose and nozzle. This bill allows gas pumps to dispense blended fuels of more than 10% ethanol but not exceeding 15% ethanol through the same nozzle and hose as long as the gas station has one dedicated hose and nozzle that only dispenses a fuel blend of 10% ethanol or less. All E15 fuel dispensers must also have a label informing consumers about what vehicles can and cannot use E15.

From a consumer standpoint, this legislation offers more options. This bill requires a dedicated hose and nozzle that dispenses E10 or lower if the retailer chooses to move to a single hose pump configuration. This bill accommodates concerns regarding certain motors needing E10 or lower fuel by ensuring that each gas station that uses a one hose set up still has a dedicated pump that dispenses only E10 or lower fuel with clear signage denoting it. Additionally, this legislation allows the retailer to offer consumers a more price-competitive product

This is not a mandate – just an option that is compliant with federal guidelines. If a gas station does not want to change their current fuel pump set up, nothing in this bill requires them to make a change. This bill simply allows more options for gas stations who do want to update their equipment.

The proposal has been vetted by the Wisconsin Department of Agricultural and Consumer Protection and they have indicated to my office that they have no concerns with the language in the bill.

Thank you for your time today. I welcome any questions you may have.



PREHEATING  
PLUMBERS?  
BEFORE YOU PAY  
ENJOY ☺ OR ENTER ☹

**"TAKE THE  
FEAR OUT OF  
FILLING UP."**

**How to Operate Pump**

1. To Pay At Pump, see instructions on Screen
2. Remove nozzle
3. Press yellow button to select grade
4. Pump gas

<b>E85</b> 80% Ethanol	<b>E30</b> 80% Ethanol	<b>E15</b> 15% Ethanol	<b>Regular Ultra 93</b>	
22.99	24.79	25.19	25.59	32.29
<b>E85</b> 80% Ethanol PUMP NOSE	<b>E30</b> 80% Ethanol PUMP NOSE	<b>88</b> PUMP NOSE	<b>87</b> PUMP NOSE	<b>93</b> PUMP NOSE

**The Andersons**  
**ETHANOL**  
A Product of The Andersons, Inc.  
Quality Produced

**EP**  
FUELS

**SUNOCO**

**SUNOCO**  
OFFICIAL FUEL FOR NASCAR

Chairman Cody Horlacher  
Assembly Committee on Regulatory Licensing Reform  
The Capitol  
Madison, Wisconsin 53703

RE: Written Testimony on AB 382

Dear Chairman Horlacher, Vice Chair Ballweg and Members of the Committee:

Thank you for the opportunity to comment on AB 382 and its impact on the gasoline supply available to boaters.

I am Jill Sims, Manager of Great Lakes Policy & Engagement for the National Marine Manufacturers Association (NMMA). NMMA, the leading trade association representing the recreational boating industry in North America, is dedicated to industry growth through programs in public policy advocacy, product quality assurance and promotion of the boating lifestyle. NMMA member companies produce more than 80 percent of the boats, engines, trailers, accessories and gear used by boaters and anglers throughout the United States and Canada. Recreational boating in Wisconsin generates more than \$4 billion in economic impact annually, supports more than 800 businesses and 16,900 jobs. Wisconsin one of the top ten boating state in the country, with more than 624,350 registered boats.

NMMA understands the need for renewable fuel supply and the marine engine industry has adapted to the E-10 blend that is available throughout the country. We appreciate that AB 382 requires dedicated pumps that dispense only E-10 and requires a four-gallon minimum purchase on blender pumps. That is a good start toward ensuring boaters have a safe fuel supply available at the gas station.

However, the E-15 blend regulated in AB 382 has been proven to damage marine engines, lawn equipment and off-road engines. Due to these test results, it is illegal to use E-15 in off-road vehicles, marine engines and lawn equipment.

There is a corn-based alternative – biobutanol – that is becoming increasingly available in the United States. All Wisconsin legislation and laws should make room for innovative fuel blends by using more generic language when regulating renewable fuels. Biobutanol is a next-generation renewable fuel. It has been thoroughly tested and found to be compatible with engines of all types, including marine engines. Furthermore, it can be used in even higher blends than E-15.

AB 382 specifies ethanol as the only renewable fuel that can be sold at Wisconsin gas stations.

- **We ask that AB 382 be amended to allow the dispensing of all renewable fuels approved by the US Environmental Protection Agency. Specifying ethanol in the legislation will hinder innovation and new solutions that outperform ethanol in every category.**

**Executive Committee**

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Yamaha Marine Group

**Vice Chairperson**

Steve Heese  
Chris-Craft Corporation

**Treasurer**

Scott Deal  
Maverick Boat Company

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of the Americas

**MACD Representative**

Steve Tildiers  
Xylem Inc.

**Member at Large**

Bill Walters  
Synlec Industries

**President**

Frank Hugelmeyer  
NMMA

Biobutanol has several benefits as compared to ethanol, but it also has one key similarity – the same corn used to make ethanol can be used to make biobutanol. Biobutanol contains nearly 90% of the energy content of a gallon of gasoline (compared to 67% for ethanol). It does not phase separate in the presence of water, has lower evaporative emissions, raises octane and can be blended at higher volume percentages than ethanol while remaining compatible with marine engines and fuel systems. It can be produced using the same feedstocks and infrastructure that supports ethanol production.

- **Our second request is that AB 382 be amended to require greater consumer education and better signage at the pump.**

The E15 warning labels required by the EPA are smaller than a pack of gum – making it hard for consumers to tell which blend they are buying at the gas pump and to know that the EPA forbids its use in marine engines. These labels fail the American consumer and deprive them of making informed choices.

About 90 percent of boats are fueled at gas stations. With 61 percent of consumers assuming that gas sold at gas stations is safe for their engines and only two in five Americans aware that higher ethanol blends are harmful to outdoor power equipment, consumers are widely unaware of potential damage to their boat engines, snowmobiles and lawn equipment. Now that the federal government has lifted the ban on summer sales of E-15, it is even more critical that consumers know to use only E-10 to fuel their boats.

I would be glad to work with the committee to write language that accommodates biobutanol and requires the education and labeling needed by consumers. I can be reached at [jsims@nmma.org](mailto:jsims@nmma.org).

Thank you again for this opportunity to provide input on AB 382.

Sincerely,

*Jill Sims*

Jill Sims  
Manager, Great Lakes Policy and Engagement  
National Marine Manufacturers

**Executive Committee**

Chairperson  
Ben Speciale  
Yamaha Marine Group

Vice Chairperson  
Steve Heese  
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Bill Walters  
Syntec Industries

President  
Frank Hugenmeyer  
NMMA

**Dave Zien**

Thursday, October 31, 2019

Statement from former State Senator Dave Zien.

Thank you, committee members and attendees, for continuing the legacy of serving a great and progressive state of Wisconsin. Your efforts, though seemingly minuscule now, may surely be miraculously monumental to others in the future.

It is with great pride that I help out the ethanol industry in every way possible. When you retire, you too will "help out when asked and where needed"- as I am here today.

It was an honor to be the lead local State Senator in locating Wisconsin's first ethanol plant in Stanley, Wisconsin. It was located at the approximate center of the 23<sup>rd</sup> District, which I represented.

As you know, ethanol has been a blessing for Wisconsin Farmers & the Wisconsin economy. The price of gas has been lowered substantially. But most of all, it has helped reduce our dependence on foreign oil- thus saving the lives of our American troops.

The privilege of being a lawmaker has never been forgotten or relinquished. I still help out constituents each and every day. Always troubleshooting concerns, Veteran entitlements and giving guidance etc. My Mom Orpha does much of my typing proofreading and copying.

State Representative Tom Sykora took the lead as state representative in bringing Ace Ethanol to Stanley. During those years, the State Senate fell back and forth to democratic control. Bob Sather was our champion/ resource. "go to it guy".

Located immediately across the road, we had been working on conveying heat/ etc. to the Stanley prison, from Ace Ethanol—by pipeline beneath HWY 29. At one point we were working on grants to pay for installation of these pipelines. Perhaps that's something to be researched in the future---

Here are other motorcycle and ethanol related facts:

It is legal to use E10 in every motorcycle made today. I myself have driven hundreds of thousands of miles on my Harley using E10 and have never had a fuel issue.

Ethanol is an octane boost, so motorcycles actually get a bit of kick using fuel with ethanol.

Ethanol helps keep engines clean, removing deposits. In fact, the detergents you see advertised as being in fuel as usually alcohol based

Use of ethanol blends reduces greenhouse gases and the use of aromatics in fuel which are corrosive and are known carcinogens.

The bill, and EPA, require that at least one pump at each location have no #15. This was at the request of the motorcycle industry. It solves the problem.

The bill is drafted to make sure motorcycle riders who want gasoline with no ethanol or with only exactly 10% ethanol can get it. It's a pro rider bill.

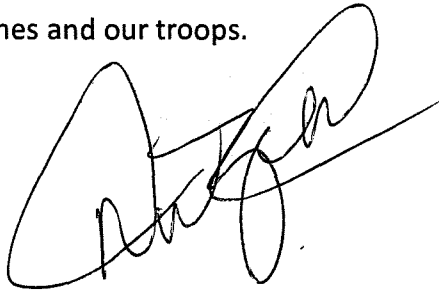
No motorcycle manufacturer can deny a warranty claim based on fuel, unless they can definitely prove that the fuel itself caused a problem. There has never been a successful claim against E10 or E15 for being at fault for vehicle issues.

Please pass this important bill and join the other 44 states in allowing increased access to this new consumer option – E15.

Thank you, Committee members, for the opportunity to speak with you today. Please accept my trademark "Apache Tear Stones" as a token of my appreciation to your service. Over ¼ million have been distributed since 2007.

God bless you, your loved ones and our troops.

Senator Dave Zien  
1716 53<sup>rd</sup> St.,  
Eau Claire, WI 54703  
Cell: 715-829-9436



P.S.

Often I am asked, "Dave, what have you been up to?" In my spare time:

-World's first documented million-mile motorcycle, 1991 Harley FXRT (1991-2009). Now at Sturgis Motorcycle Museum and Hall of Fame

-141,757 in 12 months

-252,000 plus in 23 months

-2<sup>nd</sup> in world lifetime motorcycle miles (first is Dan Stephans- retired in 2016- the Wisconsin Chief Architect)

-157 "Plus" world records on motorcycle and with flags includes 481,000 plus miles on a 2011 (purchased 8/6/11) & 2014 (3/7/14) Harley Trikes driven after my 3/13/11 horrendous Florida accident in which left leg amputated.

To Committee on Regulatory Reform  
Dear members, here are some ideas

Media Advisory – For Immediate Release

Monday, October 23, 2017 - *Pat Zep*

This Wednesday, October 25, 2017 at 11AM on the sidewalk in front of the Harley-Davidson (HD) Museum in Milwaukee. Then lunch at HD Restaurant across the street, for those inspired.

Proposals will be revealed for year-round 2018 activities that celebrate the 115<sup>th</sup> Anniversary of Harley-Davidson. These ideas are meant to inspire individuals, groups, other states and nations to do likewise and beyond. "First & Foremost – the Harley-Davidson family and Wisconsin has gotta' get fired up!"

Strong partnership coalitions are possible through Veteran, patriotic and motorcycle organizations, the Wis. Departments of Tourism Transportation, Veterans Affairs & State Historical Societies,

**Proposals are:**

Share the mystique & heritage of motorcycling, especially Harley-Davidson by giving rides to everyone possible -including at: special events, conventions, conferences, nursing homes, parades, any function, etc. (today and every day, members of the media have a special invite to feel the Thunder).

"No one can explain the mystique & heritage of HD, we just live it!"

"Anyone that can drive a lawnmower or car – can drive a Trike!" (Wheels of Liberty will help people do so in parking lots at most events). Today this can be demonstrated. Volunteers requested or appointed.

Brainstorm incentive rewards souvenirs and mementos to those giving and receiving rides - calling card exchange is great. (some Wheels of Liberty members give Apache Tears, Crazy Horse/Black Hills stones & samples from the world's only Law Enforcement, Firefighter, EMT & Citizen Soldier Bridges. Two Bridges are located on Hwy 29 over the Chippewa River near Chippewa Falls. Signs at 29 Pines & Eau Claire Travel Center depict pride.

Suggest special recognition provided to those having never rode or driven a motorcycle before! Those giving multiple rides are given Awards.

**Motorcycle Movie, Music, Museum & Memoir Music Committee (MCMMMMc).** Each person has a story to tell, a legacy to leave and a legend to live!" Discovering Hidden Resources & Harnessing Unlimited Potential for each individual is assisted with.

**Initiate Motorcycle Hall of Fame nominations at:** Sturgis Motorcycle Museum Hall of Fame, South Dakota; American Motorcyclists Assoc. (AMA), Ohio; Wheels Thru Time, North Carolina and the National Motorcycle Museum, Anamosa, Iowa to include nominations:

- 1) **Motorcycle Riders Foundation** (world's premier motorcycle rights group) – enjoying strongest roots through Abate of Wisconsin.
- 2) **Tony & Vicki Sanfelipo – Accident Scene Management (ASMI).**
- 3) **Iron Butt Assoc. - Michael Kneebone (Chicago)**
- 4) **the Wis. Harley-Davidson Dealers & Harley Owners Group Network.**



**5) the Christian Motorcyclists World-wide Network.**

**6. Hupy & Abraham SC**

Show major movies at functions: Rebel on the Highway, Easy Rider II- the Ride Back, Born to Ride & the Wild Angels etc. Highlight the song tracks while bringing in select actors, producers and promoters. Advance and follow-up news releases, testimonials and letters to the editor type of communications to expound upon the merits & jubilation of motorcycling.

**Bring Biker musicians to perform:** Good Time Charlie/Rebel on the Highway and Mike Jones/ Born to Ride, etc.

- Partner with Two Wheel Thunder TV, Jimmy & Pat to properly promote.
- Show words to the songs at every world-wide H dealerships TV screen.
- Challenge other brands of Motorcycles & cagers (auto, truck drivers).
- Make special effort to inspire "Yuppie Biker Wannabees". Polls have revealed up to 92% of public envy the Biker Lifestyle!

**LIVING HERITAGE LEGACY TRIBUTES**

Promote the 27 of the planned 50 4x8 ft. double sided signs depict historical, cultural, ethnic and religious heritage with Bikers at the common denominator. See Facebook. Help with next 23 plus.

- Wisconsin has more amazing facts and feats including "inductees into motorcycle museums & Halls of Fame than most other states combined!"
- Numerous world records which are and deserve yet to be depicted.
- Promote visitation at major Veteran Monument including the Highground/Neillsville, Wisconsin Veterans Tribute-Citizens Soldiers Monument/Cadott, War Memorial Center/Milwaukee, Wisconsin Veterans Museum/Madison, Soldiers Walk/Arcadia, Richard Bong Museum/Superior, etc.
- Encourage all Veterans and their descendants to order military ribbons and medals, along with medical and personnel records for themselves or their ancestors – going back to the Civil War. Wheels of Liberty has forms available.
- Homefront Heroes (those not serving in the military – but strongly supportive) are honored by Veteran and Patriotic groups.

**MIRACLE MOUNTAIN MOTORCYCLE MONUMENT** --- so many stories of survival, ironies and miracles that deserve to be properly appreciated Now being considered at Bobville Talent Park/Eau Claire. Originally conceived to be at the ASMI Compound, which is now closed

- This could include many artifacts, mementos, videos and written testimony about miracles. Included could be the 2009 HD Tour Glide that set a number of world records, including 141,000+ miles in 12 months.
- Biker's challenge daily the elements and survive hand in glove with Mother Nature. Each of us should be ever so thankful for Almighty God's Shield, healing and protections. All of us should tell our "story" in writing, on video and in front of others.

*The legislation  
included naming  
US Hwy 8*

**BIKER APPRECIATION HIGHWAY - US HWY 45**

- Originally conceived as Harley-Davidson Appreciation Highway. This current legislation is ready to be introduced. (see AB 467 from the 2015-2016 Wisconsin Legislative Session). Support is needed for public hearings and passage into law. See talking points.
- Draft movement to elect a Biker on the Harley-Davidson Board of Directors is being discussed. The HD Stockholder's meeting is in March or April 2018.
- Members of the Veterans, patriotic and motorcycle community are not meant "to be stealing thunder but be The Thunder!"

God Bless You and Your Loved Ones!

Constructive feedback is appreciated. Feel free to contact us:

Steve Johnson, 6158 N114<sup>th</sup> Street, Milwaukee, WI 53225, Phone: 414-236-1618 or 262-365-6984

Dave Zien, former State Senator; Million Mile Motorcycle Man - 1716 63<sup>rd</sup> Street, Eau Claire, WI 54703, Phone: 715-829-9436

*Committee  
Members*

*US Hwy 8 -  
Proposed to name  
Midwest Conflint*

*"The  
Highway"*

*To include the Persian  
Gulf, Iraq, Afghanistan, Conflint  
& the Global War on  
Terrorism!*

*To our knowledge, no  
other state  
has named  
such a highway*

## Larson, Brian

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**From:** Rep.Horlacher  
**Sent:** Thursday, October 31, 2019 3:44 PM  
**To:** Larson, Brian  
**Subject:** FW: Testimony on AB 382 re: requirements for devices that dispense gasoline-ethanol fuel blends  
**Attachments:** Public Hearing on AB382

FYI-Please include with other submitted testimony.

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**From:** Rep.Kerkman <Rep.Kerkman@legis.wisconsin.gov>  
**Sent:** Wednesday, October 30, 2019 4:12 PM  
**To:** Rep.Horlacher <Rep.Horlacher@legis.wisconsin.gov>  
**Cc:** Rep.Ballweg <Rep.Ballweg@legis.wisconsin.gov>; Rep.Allen <Rep.Allen@legis.wisconsin.gov>; Rep.Sortwell <Rep.Sortwell@legis.wisconsin.gov>; Rep.Macco <Rep.Macco@legis.wisconsin.gov>; Rep.Quinn <Rep.Quinn@legis.wisconsin.gov>; Rep.Brostoff <Rep.Brostoff@legis.wisconsin.gov>; Rep.Stuck <Rep.Stuck@legis.wisconsin.gov>; Rep.Myers <Rep.Myers@legis.wisconsin.gov>; Schwarz, Anna <Anna.Schwarz@legis.wisconsin.gov>; Larson, Brian <Brian.Larson@legis.wisconsin.gov>; hamjos@charter.net  
**Subject:** Testimony on AB 382 re: requirements for devices that dispense gasoline-ethanol fuel blends

Chairman Horlacher, Assembly Committee on Regulatory Licensing Reform committee members, and staff –

Attached is testimony from Mike Halvorson of Twin Lakes, WI testifying in opposition to AB 382 behalf of ABATE Wisconsin. AB 382 relates to requirements for devices that dispense gasoline-ethanol fuel blends. Mike anticipates being unable to attend the hearing in person and respectfully requests that you include his testimony in your consideration of this legislation. In the event that mother nature doesn't hit us too hard, Mike will be there in person.

Thank you,

Tami Rongstad  
Office of Rep. Samantha Kerkman  
61st Assembly District  
[Tami.Rongstad@legis.wi.gov](mailto:Tami.Rongstad@legis.wi.gov) | (608) 237-9161

**Larson, Brian**

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**From:** hamjos@charter.net  
**Sent:** Wednesday, October 30, 2019 1:58 PM  
**To:** Rep.Kerkman  
**Subject:** Public Hearing on AB382

Dear Members of the Committee on Regulatory Licensing Reform,

I believe AB 382 is horrible for consumers. It is not even being marketed as E-15. Instead E-88 is what appeared on the sign at a station in Mauston I witnessed. Un-enlightened consumers will be tempted to make a very bad choice when fueling their vehicles if this legislation moves forward. People are used to 10% ethanol at the pump and will not check the new E-15 sticker which looks like the old one. GM and FORD have only certified 2012 and 2013 & newer vehicles respectively for E-15. AAA testified before congress that not enough testing has been done for vehicles older than 2012 models. A Popular Mechanics article says 2007 and newer. The EPA (which manufactures nothing) says it can be used in 2001 and newer vehicles in the US fleet only. One thing is sure, you will get worse mileage with E-15. I have noticed a 5-7 mpg loss in my motorcycles with E-10 Premium vs. non-ethanol Premium which costs upwards of \$1 per gallon more. At only 5 cents/gal cheaper will E-15 really provide any cost savings?

In larger cities, where more constituents' may drive older vehicles used for short trips, people will be tempted to potentially harm their engines. How many people will actually check for E-15 compatibility? How many used vehicles even have owners manuals to check? How much of the "great response" in Iowa to E-15 is a result of mis-fueling?

I believe that part of my legislators job is to protect consumers. When a crib or toy is suspected to harm someone you try and prevent it. Now, for the first time, ambiguous labeling and marketing of gasoline may prematurely destroy some engines of your constituents'. Are you really sure this is a good idea?

Thankyou for considering my comments, Sincerely Mike Halvorson

Citizen,

Member ABATE

of Wisconsin



10101 Science Drive  
Sturtevant, Wisconsin 53177  
United States

October 30, 2019

Representative Cody Horlacher  
Chair - Committee on Regulatory Licensing Reform  
Room 214 North  
State Capitol  
PO Box 8952  
Madison, WI 53708

Dear Representative Horlacher,

BRP Evinrude appreciates the opportunity to provide comments with respect to Assembly Bill 382 relating to devices that dispense gasoline-ethanol fuel blends. BRP opposes the introduction of legislation that makes it easier for boating consumers to misfuel and damage their recreational boats and engines.

By way of introduction, Evinrude is an iconic American brand of marine outboard engines invented in Wisconsin and we have been supporting recreational fishing and boating activities for 110 years. We employ nearly 650 people at our Sturtevant, WI based Evinrude headquarters which includes manufacturing, engineering, research and development, sales, marketing, and international dealer training centers. Our parent company, BRP, produces Alumacraft and Manitou boats, SeaDoo Personal Water Craft, CanAm ATV's and roadsters, SkiDoo snowmobiles, and Rotax engines. All of these products are enjoyed on the many lakes, rivers, trails, and roads throughout the great state of Wisconsin.

BRP Evinrude opposes the introduction of Assembly Bill 382 for the following reasons:

1. E15, also referred to as unleaded 88, has been documented through numerous studies and tests to cause damage to recreational marine engines and boats.
2. Introduction of legislation to allow E10, E15, or E0 to be dispensed from the same nozzle will make it easier for consumers to misfuel and damage their boats, engines, or recreational products with the incorrect fuel.
3. The legislation fails to appropriately address the necessity for robust labeling requirements and standards to inform consumers of the type of fuel being dispensed.
4. The bill specifically focuses on ethanol and does not mention or take into consideration proven next-generation advanced biofuels such as biobutanol.



October 30, 2019

## E15 / Unleaded 88

Recreational marine customers have experienced issues with ethanol fuel blends including phase-separation, fuel system material compatibility issues, corrosion of aluminum fuel tanks, and engine runability issues or failures associated with enleanment. Higher quantities of ethanol, such as E15, can lead toward catastrophic engine failure as cited by the U.S. Department of Energy marine engine testing program conducted by Mercury Marine and Volvo-Penta<sup>1</sup>. These are some of the reasons why EPA did not approve E15 for use in recreational marine engines or other recreational engines, lawn and garden equipment and motorcycles.

## Misfuelling and Labeling

Dispensing multiple fuels such as E0, E10 and E15 from the same nozzle creates confusion for the consumer as it becomes more difficult to differentiate between the multiple fuels, buttons, and various labels that are located on the fueling pump. Furthermore, there are no robust requirements for location of signs, font size, warning labels, and other criteria defined within the Wisconsin legislation to help guide the consumer. For example, if a single E0 or E10 pump is made available, what is the standard to which the consumer will be notified? What language will the sign be made available? Where is the sign to be located? Will pictures be used? Will the pump be located at a location in which a consumer can easily get their boat and trailer to? None of this is made clear or even mentioned within the proposed legislation.

According to a recent Harris Poll Survey conducted by OPEI<sup>2</sup>, More than 3 in 5 Americans (61%), assume that any gas sold at gas stations is not only safe for their cars, but also safe for their outdoor power equipment including boats, motorcycles, and lawn/garden equipment. Only 1 in 5 Americans (20%) say they notice ethanol content at a fuel pump, while more than 4 times as many (86%) notice price.

## Next-Generation Advanced Biofuel – Biobutanol

Biobutanol is a four-carbon alcohol that can be produced in a fermentation process similar to ethanol, contains nearly 90% of the energy content of a gallon of gasoline (compared to 67% for

<sup>1</sup> National Renewable Energy Laboratory Hilbert, D., *High Ethanol Fuel Endurance: A Study of the Effects of Running Gasoline with 15% Ethanol Concentration in Current Production Outboard Four-Stroke Engines and Conventional Two-Stroke Outboard Marine Engines*  
June 30, 2011

<sup>2</sup> OPEI Harris Poll Survey retrieved 10/30/2019 <https://www.pnewsire.com/news-releases/confusion-at-the-gas-pump-could-be-costing-americans-dearly-when-it-comes-to-outdoor-power-equipment-300805868.html>

ethanol), does not phase separate in the presence of water, lowers evaporative emissions, raises octane, can be blended at higher volume percentages than ethanol while remaining compatible with engines and fuel system, and can be produced using the same feedstocks and similar infrastructure that supports ethanol production.

During a five-year period, the marine industry has tested, validated and approved the use of 16% biobutanol fuel blends in recreational marine engines and boats<sup>3</sup>. We've published numerous peer-reviewed studies on the use of biobutanol fuel blends and have been leaders in helping bring a next-generation biofuel to market<sup>4</sup>. Biobutanol is commercially available in Texas and at several marinas across the U.S. with further expansion planned. It is a shame to not include a pathway for a great next-generation advanced biofuel and prevent this fuel from entering the Wisconsin fuels market by narrowly focusing exclusively on ethanol fuel bills.

We appreciate the opportunity to comment on this bill, and hope you will take into consideration our valid, science-based concerns, particularly as Wisconsin is such a great outdoor recreation location, home to many engine manufacturers and passionate recreational product users.

Please do not hesitate to contact me with any further questions.

Respectfully,



Jeff R. Wasil  
Engineering Manager – Emissions and Regulatory Development  
262-884-5322  
[Jeff.wasil@brp.com](mailto:Jeff.wasil@brp.com)

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<sup>3</sup> [Marinebiobutanol.net](http://Marinebiobutanol.net) Emissions and Operability of Gasoline, Ethanol, and Butanol Blends in Recreational Marine Applications - Argonne National Laboratory

<sup>4</sup> The Farming, Science and Boating Behind Biobutanol – A digital essay from the National Marine Manufacturers Association. <https://spark.adobe.com/page/uwjElzZhuAXKr/>

## Kwik Trip Wisconsin Gasoline Dispenser Facts

Kwik Trip has 400 stores in the state of Wisconsin.

Kwik Trip has 300 stores that have dispensers with dedicated hoses for each grade of fuel. We are allowed to sell E15 through these dispensers and nothing will change at these stores or dispenser. (See Illustration #1)

Kwik Trip has 100 stores in Wisconsin with Single Hose Dispensers – (See Illustration #2) We cannot currently sell E15 through these dispensers in Wisconsin. To replace these one hose dispensers with Three hose (Illustration #1) so we could sell E15, it would cost approx... \$17,000 per dispenser or 14 Million dollars for our Company.

It would also allow other Retailers in WI to offer E15 without costly dispenser replacement.

Illustration #3 shows what the One Hose Legislation would require for Labels and signage to sell E15 through a single hose dispenser. Each store would also be required to add a minimum of one Three hose dedicated dispenser (Illustration #1) so that anyone concerned with the approximate one quart of gasoline from the previous purchase in the hose could get the pure product wanted from the dedicated hose dispenser.

We have many one hose dispensers in Iowa where the state of Iowa allows E15 to be sold through one hose dispensers if you follow the same rules and labeling requirements that are being proposed in this bill and (Illustration #3) In Fact – at our stores in Iowa 45% of all gas sold is E15.

Please approve Assembly bill 382 – Thank you



**SAFETY / EMERGENCY INSTRUCTIONS  
WARNING!**

- 1.) NO SMOKING OR OPEN FLAMES
- 2.) SHUT OFF MOTOR WHILE FUELING
- 3.) DISCHARGE STATIC ELECTRICITY BEFORE FUELING BY TOUCHING A METAL SURFACE AWAY FROM THE NOZZLE
- 4.) TO PREVENT STATIC SPARK, DO NOT RE-ENTER YOUR VEHICLE WHILE PUMPING FUEL
- 5.) A PERSON FUELING A MOTOR VEHICLE MUST BE IN CLOSE ATTENDANCE TO THE DISPENSER NOZZLE DURING THE FUELING PROCESS.  
YOU ARE RESPONSIBLE FOR ANY SPILLS.
- 6.) IF A FIRE STARTS, DO NOT REMOVE NOZZLE, BACK AWAY IMMEDIATELY
- 7.) IT IS UNLAWFUL AND DANGEROUS TO DISPENSE GASOLINE INTO UNAPPROVED CONTAINERS
- 8.) NO FILLING OF PORTABLE CONTAINERS IN OR ON A MOTOR VEHICLE, PLACE CONTAINER ON THE GROUND BEFORE FILLING
- 9.) NO ONE UNDER THE AGE OF 16 ARE ALLOWED TO DISPENSE FUEL
- 10.) IN CASE OF FIRE OR SPILL-EMERGENCY STOP SWITCH AND FIRE EXTINGUISHER ARE LOCATED AT BUILDING
- 11.) IN CASE OF EMERGENCY CALL 911
- 12.) **STORE #XXX SITE ADDRESS: ADDRESS, CITY, WI**

**10% ETHANOL**

**CONTAINS UP TO  
10% ETHANOL**

FOR USE IN:  
 • Gasoline powered vehicles.  
 • Most late model outdoor power equipment. Check your owners manual for verification.

**ATTENTION**  
**E15**  
 Up to 15% ethanol

Use only in  
 • 2001 and newer passenger vehicles  
 • Flex-fuel vehicles

Don't use in other vehicles, motorcycles, boats, or gasoline-powered equipment. It may cause damage and is prohibited by Federal law.

MINIMUM OCTANE RATING  
 (R-M) / 2 METHOD

**88**

**No Ethanol  
 Added**

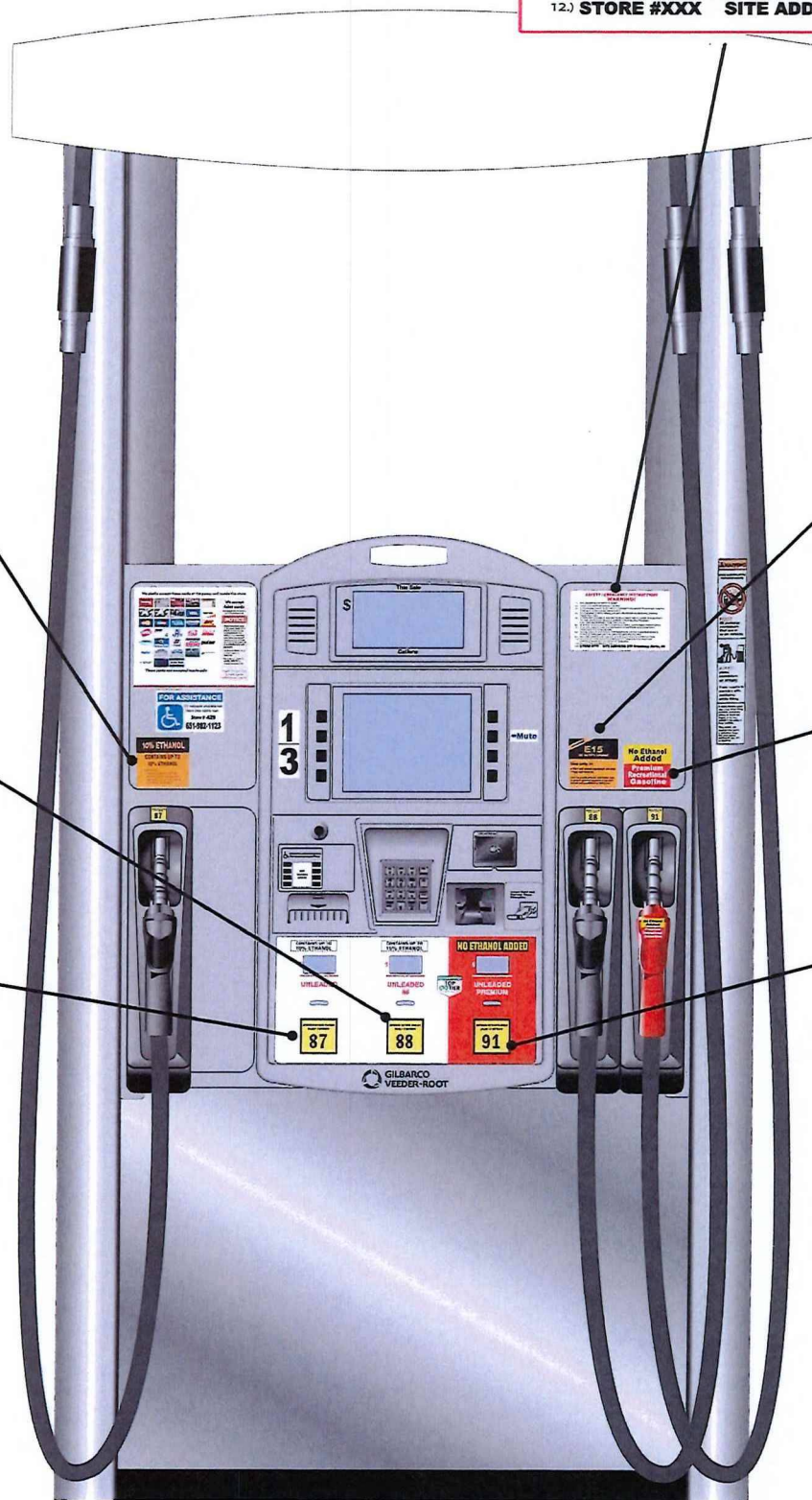
**Premium  
 Recreational  
 Gasoline**

MINIMUM OCTANE RATING  
 (R-M) / 2 METHOD

**87**

MINIMUM OCTANE RATING  
 (R-M) / 2 METHOD

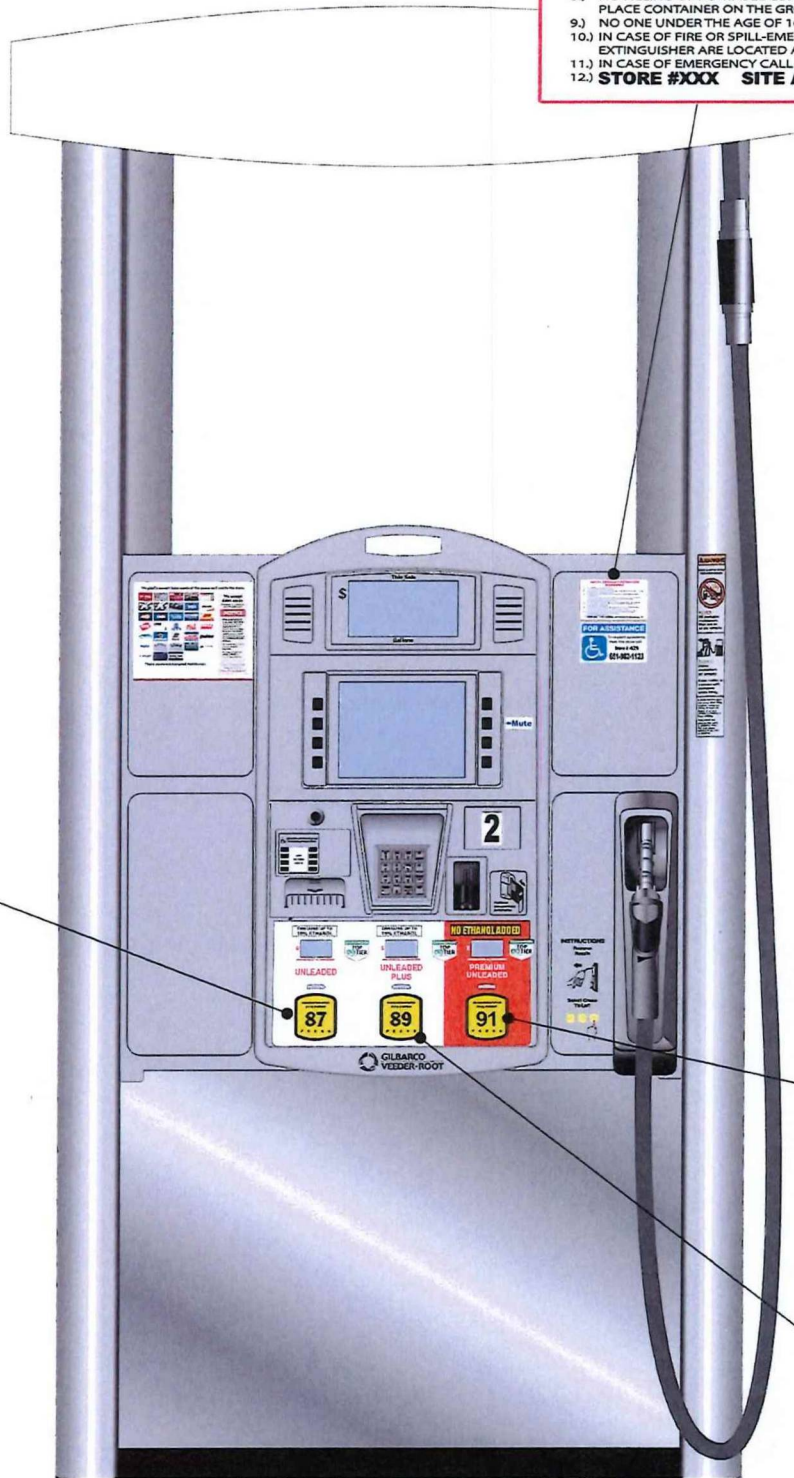
**91**



#1

**SAFETY / EMERGENCY INSTRUCTIONS  
WARNING!**

- 1.) NO SMOKING OR OPEN FLAMES
- 2.) SHUT OFF MOTOR WHILE FUELING
- 3.) DISCHARGE STATIC ELECTRICITY BEFORE FUELING BY TOUCHING A METAL SURFACE AWAY FROM THE NOZZLE
- 4.) TO PREVENT STATIC SPARK, DO NOT RE-ENTER YOUR VEHICLE WHILE PUMPING FUEL
- 5.) A PERSON FUELING A MOTOR VEHICLE MUST BE IN CLOSE ATTENDANCE TO THE DISPENSER NOZZLE DURING THE FUELING PROCESS. YOU ARE RESPONSIBLE FOR ANY SPILLS.
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- 10.) IN CASE OF FIRE OR SPILL-EMERGENCY STOP SWITCH AND FIRE EXTINGUISHER ARE LOCATED AT BUILDING
- 11.) IN CASE OF EMERGENCY CALL 911
- 12.) **STORE #XXX SITE ADDRESS: ADDRESS, CITY, WI**



MINIMUM OCTANE RATING  
(R-19) (2 METHOD)  
**87**

MINIMUM OCTANE RATING  
(R-19) (2 METHOD)  
**91**

MINIMUM OCTANE RATING  
(R-19) (2 METHOD)  
**89**

#2

**PASSENGER VEHICLES ONLY**  
**USE IN OTHER VEHICLE ENGINES AND EQUIPMENT MAY VIOLATE FEDERAL LAW**

**10% ETHANOL**

**CONTAINS UP TO  
10% ETHANOL**

FOR USE IN:  
• Gasoline powered vehicles.  
• Most late model outdoor power equipment. Check your owners manual for verification.

**ATTENTION**

**E15**

Up to 15% ethanol

Use only in

- 2001 and newer passenger vehicles
- Flex-fuel vehicles

Don't use in other vehicles, motorcycles, boats, or gasoline-powered equipment. It may cause damage and is prohibited by Federal law.

**NO  
ETHANOL  
ADDED**

MINIMUM OCTANE RATING  
(R+M)/2 METHOD

**87**

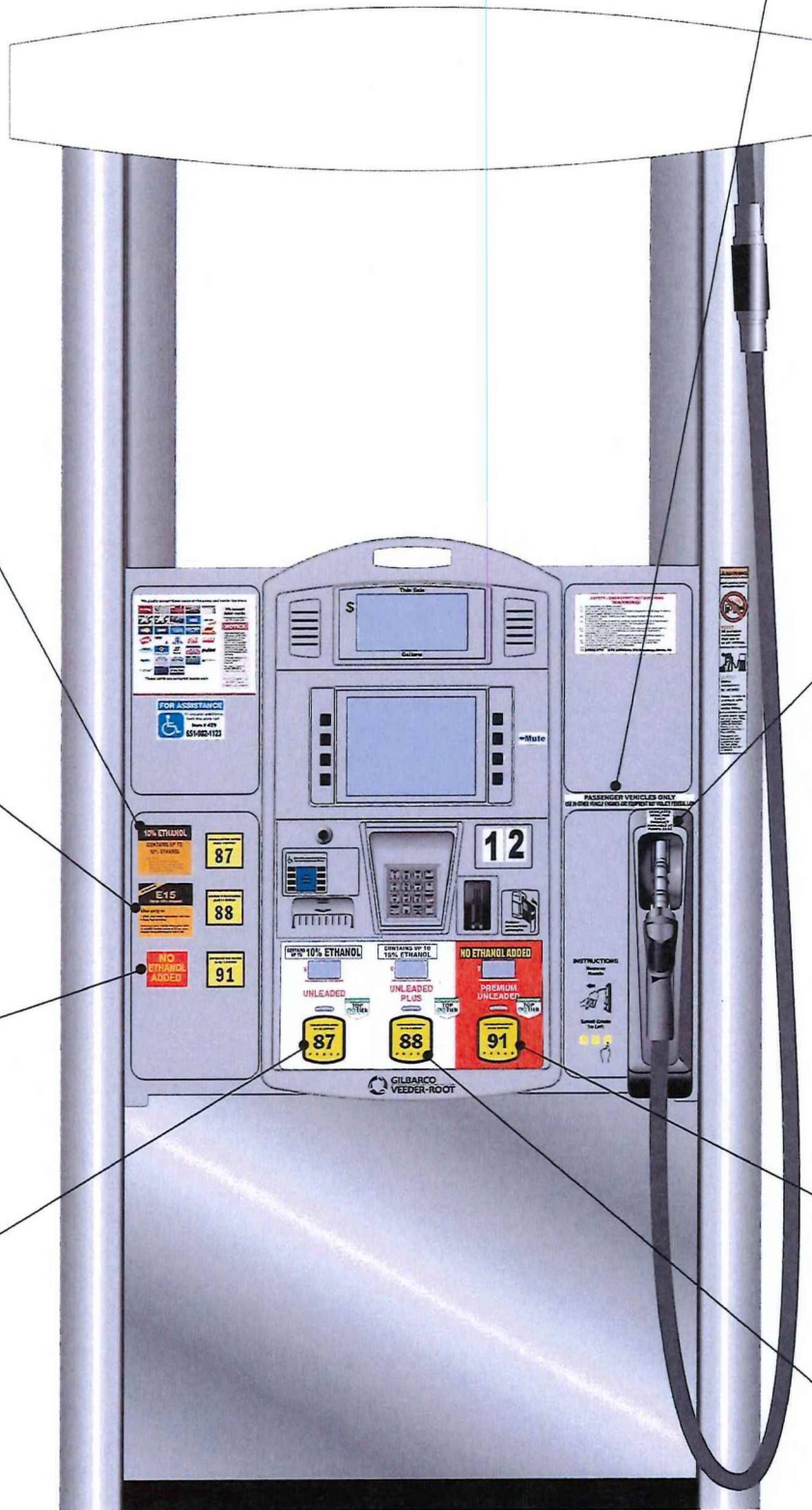
MINIMUM OCTANE RATING  
(R+M)/2 METHOD

**91**

MINIMUM OCTANE RATING  
(R+M)/2 METHOD

**88**

**DEDICATED  
HOSE FOR  
EACH  
PRODUCT  
AVAILABLE AT  
PUMPS 13/14**





## Please Support AB 382

### Elimination of the “separate hose” rule

E15 or Unleaded 88 is quickly being adopted as a mid-grade fuel by petroleum retailers. It has the double bonus of having a higher octane and usually being priced lower than gasoline blended with 10 percent ethanol. Regular gasoline now has an octane of 84, while ethanol has an octane of 113. It is important to note that E15 is approved for use in any vehicle manufactured after 2001, but is not approved for small engine use.

Unfortunately, some of Wisconsin’s regulations have not kept up with the changing fuel marketplace. We have worked with Kwik Trip and others to advance this proposal to eliminate the requirement that E15 only be sold on pumps that have a separate hose for the fuel. We propose that both E10 and E15 may be sold from pumps with only one hose.

***Wisconsin is the only state in the union with this unfortunate, outdated regulation. 44 states allow the single hose.*** There is no scientific reason to require separate hoses for the two fuels.

A renewable fuel, ethanol is priced below gasoline, it burns much cleaner – reducing greenhouse gases by more than 34%, and its higher octane means it performs better in engines.

Making it easier for retailers and consumers to access higher ethanol blends will also have a positive effect on our struggling farm economy.

The use of renewable fuels should be prioritized by our state, not only because of the positive effect on our rural economy, but they also provide the energy resilience that emergency management experts are looking for.

For more information please contact our representative Bob Welch at the number below.

***Wisconsin BioFuels Association*** is represents Wisconsin’s multi-billion dollar renewable fuels industry. We encourage policymakers to work with our industry to encourage utilization of higher ethanol blends as these blends help our agricultural economy, our environment, and our consumers with higher quality, higher value fuel.

# WHAT DOES YOUR MOTORCYCLE MANUFACTURER SAY?



## HARLEY-DAVIDSON:

Fuels with an ethanol content of up to 10 percent may be used in your motorcycle without affecting vehicle performance.



## INDIAN:

Gasoline containing up to 15% Ethanol can be used.



## BMW:

You can run the engine on fuel with a maximum ethanol content of 10 %, i.e. E10.



## YAMAHA:

Gasohol: There are two types of gasohol: Gasohol containing ethanol and that containing methanol. Gasohol containing ethanol can be used if the ethanol content does not exceed 10% (E10).



## HONDA:

There are two types of "gasohol": one containing ethanol, and the other containing methanol. Do not use gasohol that contains more than 10% ethanol.



## KAWASAKI:

Do not use any fuel that contains more ethanol or other oxygenates than specified for E10 fuel in this vehicle.



## SUZUKI:

Blends of unleaded gasoline and ethanol (grain alcohol), also known as "GASOHOL", may be used in your vehicle if the ethanol content is not greater than 10%.



## TRIUMPH:

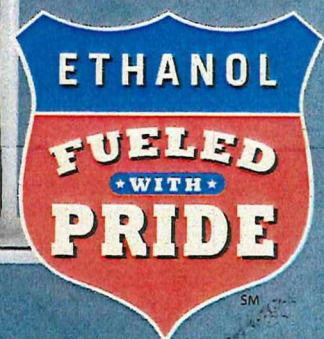
Ethanol fuel is a mixture of 10% Ethanol and 90% gasoline and is often described under the names 'gasohol', 'Ethanol enhanced', or 'contains Ethanol'. This fuel may be used in your Triumph motorcycle.



## VICTORY:

Gasoline containing up to 15% Ethanol can be used.

**NOTE: ALL STATEMENTS ARE DIRECT QUOTES FROM EACH OF THE MOTORCYCLE MANUFACTURER'S 2018 MODEL YEAR OWNER'S MANUALS.**

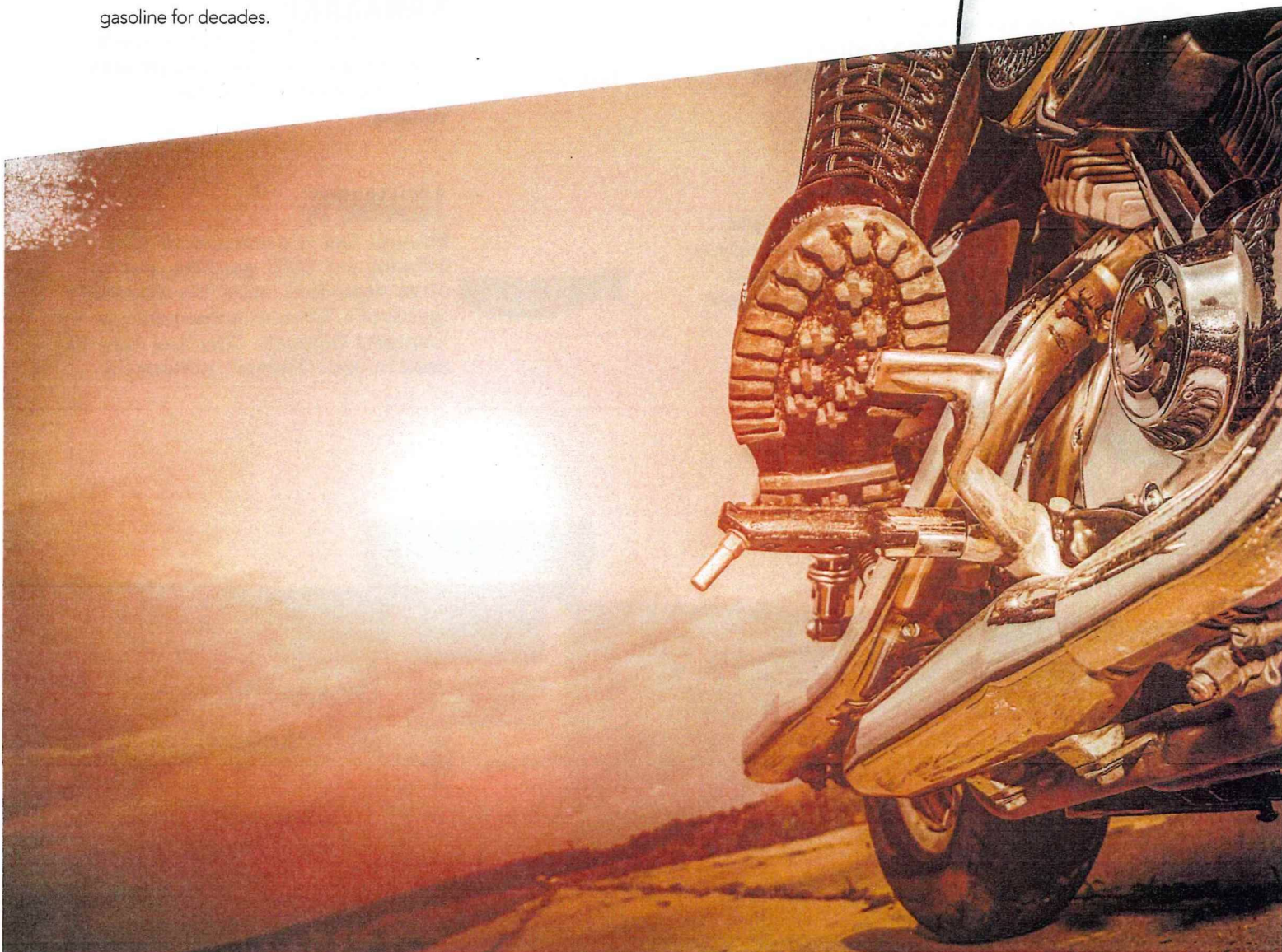


SM

# ETHANOL AND MOTORCYCLES

## **All motorcycle manufacturers endorse the use of 10% ethanol (E10).**

- Ethanol provides the high octane that many motorcycles require at a lower cost.
- RFA has partnered with legendary motorcycle craftsman Paul Teutul, Jr., of Paul Jr. Designs, star of the hit series American Chopper, to build a custom ethanol motorcycle to promote ethanol. The bike will be part of the Discovery Channel's hit series, American Chopper, during the Summer of 2018.
- E10 has been approved and used by motorcycles as a safe and cost saving alternative to straight gasoline for decades.
- RFA partners with bike enthusiasts and organizations like the Legendary Buffalo Chip Campground where, the infamous Sturgis Motorcycle rally is held.
- Motorcycles should not use ethanol blends above 10%, which are all clearly labeled for easy identification.





October 31, 2019

Representative Cody Horlacher  
Chair of the Committee on Regulatory Licensing Reform  
328 NW, State Capitol  
Madison, WI 53703

RE: Support for AB 382: One Hose Regulation

Mr. Chairman and Members of the Committee,

Farmers across the country have fought for the year-round sale of ethanol for over a decade.

In a time when our producers are facing inclement weather, trade uncertainty and low commodity prices, the sale of ethanol throughout the year is a welcomed relief. Not only does it allow our farmers to expand markets, it provides a cleaner fuel and more options for consumers at the pumps. In fact, E15 can save consumers between three and 10 cents per gallon.

As you've likely heard, E15 – otherwise known as Unleaded 88 – is quickly being adopted by retailers across the state and the nation. Unfortunately for residents of Wisconsin, it is required that this blend be sold on a different hose – making it an inefficient and unfriendly experience for the consumer.

Therefore, we ask that you join us in support of Assembly Bill 382, in an effort to not only impact the consumer's bottom line, but also that of Wisconsin's farmers.

Thank you,

Wisconsin Corn Growers Association  
Wisconsin Soybean Association  
Wisconsin Farm Bureau Federation  
Cooperative Network