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By: **Delegates Boutin, Boteler, Frank, Krebs, Mandel, McComas,  
McDonough, and Shewell**

Introduced and read first time: January 31, 2005

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Environment - Gasoline Containing Methyl Tertiary Butyl Ether - Phaseout**

3 FOR the purpose of establishing a certain MTBE-free standard during certain years;

4 prohibiting, on or after a certain date, a person from marketing gasoline that

5 contains more than a certain amount of methyl tertiary butyl ether by volume;

6 authorizing the Department of the Environment to adopt certain regulations;

7 defining certain terms; and generally relating to gasoline containing methyl

8 tertiary butyl ether.

9 BY adding to

10 Article - Environment

11 Section 4-404

12 Annotated Code of Maryland

13 (1996 Replacement Volume and 2004 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - Environment**

17 4-404.

18 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS

19 INDICATED.

20 (2) "MARKET" MEANS TO SELL, OFFER FOR SALE, SUPPLY, OR OFFER FOR

21 SUPPLY.

22 (3) "MTBE" MEANS METHYL TERTIARY BUTYL ETHER.

23 (4) "MTBE-FREE STANDARD" MEANS THE PERCENTAGE OF GASOLINE

24 THAT A PERSON MARKETS IN THE STATE THAT CONTAINS 0.5% OR LESS OF MTBE BY

25 VOLUME.

1 (B) THE MTBE-FREE STANDARD APPLIES TO ANY PERSON THAT MARKETS  
2 GASOLINE IN THE STATE.

3 (C) THE MTBE-FREE STANDARD SHALL BE AS FOLLOWS:

4 (1) 10% IN 2006;

5 (2) 20% IN 2007;

6 (3) 30% IN 2008;

7 (4) 40% IN 2009;

8 (5) 50% IN 2010;

9 (6) 60% IN 2011;

10 (7) 70% IN 2012;

11 (8) 80% IN 2013; AND

12 (9) 90% IN 2014.

13 (D) ON OR AFTER JANUARY 1, 2015, A PERSON MAY NOT MARKET IN THE STATE  
14 GASOLINE THAT CONTAINS MORE THAN 0.5% OF MTBE BY VOLUME.

15 (E) THE DEPARTMENT MAY ADOPT REGULATIONS NECESSARY FOR THE  
16 IMPLEMENTATION OF THIS SECTION.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 2005.