

Katie Hobbs  
Governor



Paul E. Brierley  
Director

**ARIZONA DEPARTMENT OF AGRICULTURE**

WEIGHTS AND MEASURES SERVICES DIVISION  
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December 21, 2023

Growth Energy  
Dallas Gerber  
Director of State and Government Affairs  
701 8th St NW #450,  
Washington, DC 20001  
via email: [dgerber@growthenergy.org](mailto:dgerber@growthenergy.org)

Dear Mr. Gerber,

In accordance with Arizona Administrative Code (A.A.C.) R3-7-704(D), the Weights and Measures Services Division has approved your request to use alternative motor fuel descriptions in lieu of the motor fuel descriptions required under A.A.C. R3-7-704, Table 1.

Please refer to the revised Table 1 for the allowable descriptions.

Revised Table 1

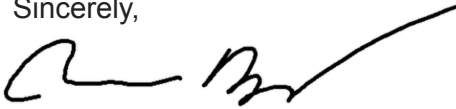
Motor Fuel Type	ASTM Standard	Fuel Properties	Allowable Descriptions
Gasoline	D4814	Minimum 87 octane	Regular, Reg, Unleaded, UNL, or UL
		Minimum 88 octane	Unleaded 88 or UNL 88
		Minimum 89 octane	Midgrade, Mid, or Plus
		Minimum 91 octane	Premium, Prem, Super, Supreme, High, or High Performance
		Contains more than 10 but no more than 15 volume percent ethanol	E15 or the appropriate allowable description for the minimum octane listed above in Table 1 combined with the E15 description. For example: E15 Regular E15 Reg E15 Unleaded 88 E15 UNL 88 E15 Midgrade E15 Mid E15 Premium E15 Prem E15

Please be aware the approved alternate descriptions listed in the revised Table 1 are applicable for motor fuel dispensing site signage described under A.A.C. R3-7-704(A), as well as dispenser signage described under A.A.C. R3-7-705(A)(4). However, these allowable descriptions do negate any additional dispenser signage requirements under A.A.C. R3-7-704 or R3-7-705.

Attached you will find a copy of A.A.C. R3-7-704 and R3-7-705 for your reference.

Please email Vince Wolpert at [vwolpert@azda.gov](mailto:vwolpert@azda.gov) or Michelle Wilson at [mwilson@azda.gov](mailto:mwilson@azda.gov) if you have any questions regarding this approval.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mike Brooks', with a long, sweeping horizontal stroke extending to the right.

Mike Brooks  
Assistant Director

## TITLE 3. AGRICULTURE

## CHAPTER 7. DEPARTMENT OF AGRICULTURE - WEIGHTS AND MEASURES SERVICES DIVISION

- published 2019, ASTM International, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959 or [www.astm.org](http://www.astm.org) (herein referred to as "ASTM D4057").
17. NIST Handbook 158, Field Sampling Procedures for Fuel and Motor Oil Quality Testing, Government Publishing Office, P.O. Box 979050, St. Louis, MO 63197-9000 or [bookstore.gpo.gov](http://bookstore.gpo.gov) (April 2016), incorporated by reference and on file with the Division (herein referred to as "Handbook 158"). This incorporation by reference contains no future editions or amendments.
  18. ASTM Standard D2699-21, "Standard Test Method for Research Octane Number of Spark-Ignition Engine Fuel," published 2021, ASTM International, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959 or [www.astm.org](http://www.astm.org) (herein referred to as "ASTM D2699").
  19. ASTM Standard D2700-22, "Standard Test Method for Motor Octane Number of Spark-Ignition Engine Fuel," published 2022, ASTM International, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959 or [www.astm.org](http://www.astm.org) (herein referred to as "ASTM D2700").
  20. ASTM Standard D7717-11(Reapproved 2021), "Standard Practice for Preparing Volumetric Blends of Denatured Fuel Ethanol and Gasoline Blendstocks for Laboratory Analysis," published 2021, ASTM International, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959 or [www.astm.org](http://www.astm.org) (herein referred to as "ASTM D7717").
  21. American Petroleum Institute (API) Manual of Petroleum Measurement Standards, Chapters 3.1A (Third Edition, August 2013, Reaffirmed December 2018) and 3.1B (Fourth Edition, October 2021), American Petroleum Institute, 1220 L St., N.W., Washington, D.C. 20005-4070 (herein referred to as "API Manual of Petroleum Measurement Standards").

**Historical Note**

New Section R3-7-702 recodified from Section R20-2-702 at 22 A.A.R. 2786, effective August 15, 2016 (Supp. 16-3). Amended by final rulemaking at 23 A.A.R. 2280, effective October 2, 2017 (Supp. 17-3). Amended by final rulemaking at 24 A.A.R. 2666, effective November 10, 2018 (Supp. 18-3). Amended by final rulemaking at 29 A.A.R. 441 (February 3, 2023), effective March 5, 2023 (Supp. 23-1).

**R3-7-703. Return of Motor Fuels Collected During Volumetric Inspection**

After completing an inspection, and if made possible by the motor fuel dispensing site owner or operator, the Division shall return all motor fuel collected during the volumetric inspection of motor fuel dispensers to the location where the inspection occurred.

**Historical Note**

New Section R3-7-703 recodified from Section R20-2-703 at 22 A.A.R. 2786, effective August 15, 2016 (Supp.

16-3). Amended by final rulemaking at 23 A.A.R. 2280, effective October 2, 2017 (Supp. 17-3). Amended by final rulemaking at 29 A.A.R. 441 (February 3, 2023), effective March 5, 2023 (Supp. 23-1).

**R3-7-704. Motor Fuel Dispensing Site Price and Grade Posting**

- A. Any roadside or other sign, including, but not limited to, prices on poles, monument signs, canopies, 'A-frame' signs, or other structures, that advertises or displays motor fuel prices and is not connected to a motor fuel dispenser shall comply with subsections (1) through (4), and shall comply with either method listed in subsections (5) and (6):
  1. Display the self-service and full-service prices, if different;
  2. Display the unit of measure of the price if other than per gallon;
  3. Display fractions of a cent, if the fuel price is not charged at a whole cent; and
  4. Display a decimal point when a dollar sign precedes the posted price.
  5. Display the undiscounted price for any motor fuel product and applicable grade advertised; or
  6. Display the discounted price for any motor fuel product and applicable grade advertised along with the conditions under which the discount is available, including, but not limited to, "Cash", "Cash Only", or "Membership."
    - a. Any discount conditions must be clearly presented on a sign in a font no less than 1/5 the size of the largest number posted on the sign or 2 1/2 inches, whichever is larger, and may not be abbreviated.
    - b. The discount conditions must appear immediately next to, above or below the discounted price and with equal illumination as the discounted price.
- B. All motor fuel prices displayed must include all applicable federal and state taxes.
- C. Motor fuel Descriptions. Motor fuel types, grades, and blends shall be described on signs listed in subsection (A) as indicated in Table 1. Motor Fuel Descriptions.
- D. A person may use an alternative to the descriptions provided in Table 1 upon receipt of written approval by the associate director.

**Historical Note**

New Section R3-7-704, including Table, Antiknock Index, recodified from Section R20-2-704 at 22 A.A.R. 2786, effective August 15, 2016 (Supp. 16-3). Amended by final rulemaking at 23 A.A.R. 2280, effective October 2, 2017 (Supp. 17-3). Amended by final rulemaking at 29 A.A.R. 441 (February 3, 2023), effective March 5, 2023 (Supp. 23-1).

## TITLE 3. AGRICULTURE

## CHAPTER 7. DEPARTMENT OF AGRICULTURE - WEIGHTS AND MEASURES SERVICES DIVISION

Table 1. Motor Fuel Descriptions

Motor Fuel Type	ASTM Standard	Fuel Properties	Allowable Description
Diesel	D975	Min. flash point 38° C Min. viscosity 1.3 mm <sup>2</sup> /S, max. 2.4 mm <sup>2</sup> /S	No. 1 Diesel, #1 Diesel, Diesel No. 1, or Diesel #1
		Min. flash point 52° C Min. viscosity 1.9 mm <sup>2</sup> /S, max. 4.1 mm <sup>2</sup> /S	No. 2 Diesel, #2 Diesel, Diesel No. 2, Diesel #2, or Diesel
	D975 or D7467	Meets definition of Premium Diesel in R3-7-101	Premium Diesel
	D7467	More than 5 and no more than 20 volume percent biodiesel	Biodiesel Blend or B-20 Biodiesel Blend
Ethanol Flex Fuel	D5798	51-83 volume percent ethanol	Ethanol Flex Fuel
Gasoline	D4814	Minimum 87 octane	Regular, Reg. Unleaded, UNL, or UL
		Minimum 89 octane	Midgrade, Mid, or Plus
		Minimum 91 octane	Premium, Prem, Super, Supreme, High, or High Performance
		Contains more than 10 but no more than 15 volume percent ethanol	E15

**Historical Note**

New Table 1 made by final rulemaking at 29 A.A.R. 441 (February 3, 2023), effective March 5, 2023 (Supp. 23-1).

**R3-7-705. Dispenser Labeling at Motor Fuel Dispensing Sites**

A. The owner or operator of a motor fuel dispensing site shall label dispensers in accordance with pricing, motor fuel grade, octane rating, and lead substitute. A motor fuel dispensing station owner or operator shall ensure that information regarding pricing, motor fuel grade, octane rating, and lead-substitute addition displayed on a motor fuel dispenser:

1. Displays the highest price of each grade of motor fuel sold from the dispenser prior to any deliberate action of the customer resulting in a discounted price being displayed, provided the dispenser is capable of dispensing and computing the price of motor fuel at more than one price;
2. Displays a sign or label explaining the terms or conditions of any discounted price available to the consumer including whether the price differs based on method of payment or is conditional based on the sale of another product or service;
3. Complies with the requirements of R3-7-704(A)(3) through (A)(6) and (B);
4. Complies with the allowable fuel descriptions indicated in the table in R3-7-704(C);
5. Displays the octane rating of each grade of gasoline; and
6. Displays the legend required by Handbook 130 for motor fuel dispensers that dispense gasoline with lead substitute. The legend shall be presented in block letters on a sharply contrasting background with lettering no smaller than 1/4 inch in height.

B. Motor fuel dispensers that are used exclusively for fleet sales and other price contract sales are exempt from the requirements in subsections (A)(1) and (2).

C. All motor fuels shall meet the labeling requirements of 16 CFR 306. Additionally, the following requirements apply:

1. Gasoline containing ethanol.
  - a. Gasoline containing greater than 1.5% by weight oxygen or 4.3% by volume ethanol shall be labeled with the following statement to indicate the maximum percent by volume of ethanol contained in the gasoline: "May contain up to \_\_\_\_\_% ethanol."

b. Gasoline for sale with an ethanol content greater than 10 volume percent and less than or equal to 15 volume percent shall additionally be labeled in accordance with 40 CFR 1090.1510, as it existed on December 4, 2020, and is incorporated by reference and on file with the Division. A copy may be obtained at the Government Publishing Office, P.O. Box 979050, St. Louis, MO 63197-9000 or bookstore.gpo.gov.

2. Gasoline containing an oxygenate other than ethanol. Gasoline containing greater than 1.5% by weight of an oxygenate other than ethanol shall be labeled with the following statement to indicate the type and maximum percent by volume of oxygenate contained in the gasoline: "May contain up to \_\_\_\_\_% \_\_\_\_\_."
3. The label in subsection (C)(1)(a) shall be printed in block letters on a sharply contrasting background with lettering no smaller than 1/4 inch in height.

D. Unattended retail motor fuel dispensers. In addition to all labeling and sign requirements in this Article, the owner or operator of a motor fuel dispensing site that is unstaffed shall post a sign or label at the motor fuel dispensing site, in public view, that conspicuously lists the owner's or operator's name, address, and telephone number.

E. Motor fuel dispensers shall display a decal that contains the Division's name and telephone number. A template of the decal shall be placed on the Weights and Measures Services Division website for use by retailers. The seal placed by the Division under A.R.S. § 3-3414(A)(13) satisfies this requirement.

F. All labels and information required under this Section to be posted on a motor fuel dispenser shall be displayed on the upper 50% of the front panel of each motor fuel dispenser and shall be clean, legible, and visible at all times.

**Historical Note**

New Section R3-7-705 recodified from Section R20-2-705 at 22 A.A.R. 2786, effective August 15, 2016 (Supp. 16-3). Amended by final rulemaking at 23 A.A.R. 2280, effective October 2, 2017 (Supp. 17-3). Amended by final