



*Extracts from the*  
**CALIFORNIA BUSINESS AND PROFESSIONS CODE**  
**DIVISION 5 - WEIGHTS AND MEASURES**

**In the Areas of Weights and Measures, and  
Fuels, Lubricants and Automotive Products**

**CHAPTER 14. Fuels and Lubricants**  
**§§ 13400 – 13630**



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**CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE**  
**DIVISION OF MEASUREMENT STANDARDS**

**Gavin Newsom**  
Governor

**CHAPTER 14. Fuels and Lubricants [13400 - 13620]**

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**BUSINESS AND PROFESSIONS CODE**

**DIVISION 5 - Weights and Measures**

[Added by Stats. 1939 ch 43 § 1.]

**CHAPTER 14. - Fuels and Lubricants**

**(Added by Stats. 1980 ch 636 § 5.)**

**Formerly Chapter 7 of Division 8**

**(Repealed Stats. 1980 ch 636.)**

**(Added by Stats. 1963 ch 2005 § 2.)**

**(Amended Stats. 2005 ch 91 § 1.)**

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**CHAPTER 14 - Fuels and Lubricants**

**(Added by Stats. 1980 ch 636 § 5.)  
Formerly Chapter 7 of Division 8  
(Repealed Stats. 1980 ch 636.)  
(Added by Stats. 1963 ch 2005 § 2.)  
(Amended Stats. 2005 ch 91 § 1.)**

**ARTICLE 1. – GENERAL PROVISIONS §§ 13400. – 13405.**

**§ 13400. DEFINITIONS OF TERMS**

For purposes of this chapter, the following terms mean the following:

(a) “Advertising medium” includes banner, sign, placard, poster, streamer, and card.

(b) “Alternative fuels” means:

- (1) “Biodiesel,” a fuel comprised of mono-alkyl esters of long chain fatty acids derived from plant or animal matter that meets the requirements of the ASTM International Standard Specification D6751 “Standard Specification for Biodiesel Fuel Blend Stock (B100) for Middle Distillate Fuels.”
- (2) “Biodiesel blend,” a fuel comprised of biodiesel mixed with diesel fuel that meets the requirements of ASTM International Standard Specification D7467.
- (3) “Dimethyl ether,” an organic compound meant for combustion in compression-ignition engines that meets the requirements of dimethyl ether prescribed in this chapter.
- (4) “Electricity,” electrical energy transferred to or stored onboard an electric vehicle primarily for the purpose of propulsion.
- (5) “Ethanol,” denatured motor fuel ethanol meeting the requirements of ASTM International Standard Specification D4806.
- (6) “Ethanol fuel blend,” a motor vehicle fuel consisting primarily of ethanol mixed with gasoline meeting the standards prescribed for ethanol fuel blends by this chapter.
- (7) “Hydrogen,” a fuel consisting of high purity hydrogen intended for consumption in a motor vehicle with an internal combustion engine or fuel cell that meets the standards for hydrogen prescribed by this chapter.
- (8) “Methanol fuel blend,” a motor vehicle fuel consisting primarily of methanol mixed with gasoline meeting the standards prescribed by this chapter.
- (9) “Natural gas,” a gaseous mixture of hydrocarbon compounds consisting of primarily methane in the form of a compressed gas or a cryogenic liquid intended for use as a motor vehicle fuel.
- (10) “Propane,” a liquefied petroleum gas intended for use as a motor vehicle fuel and meeting the standards prescribed by this chapter.
- (11) Any other fuel intended for use as a motor vehicle fuel that the secretary

determines is an alternative fuel that has a standard specification from a standards development organization accredited by the American National Standards Institute (ANSI), or an interim standard specification pursuant to Section 13446.

- (c) "Automotive spark-ignition engine fuel" means a product used for the generation of power in a spark-ignition internal combustion engine.
- (d) "Compression-ignition engine fuel" means a product used for the generation of power in a compression-ignition internal combustion engine.
- (e) "Developmental engine fuel" means an engine fuel that does not meet standards established by this chapter but has characteristics that may lead to an improved fuel standard or the development of an alternative fuel standard.
- (f) "Diesel fuel" means any hydrocarbon oil meant for combustion in compression-ignition engines offered for sale that meets the standards for diesel fuel prescribed by this chapter.
- (g) "Engine fuel" means any gasoline, diesel, or alternative fuel used for the generation of power in an internal combustion engine or fuel cell in a motor vehicle, or electrical power delivered conductively or inductively to an electric motor in electric or plug-in hybrid vehicles. "Motor vehicle fuel" means "engine fuel" when that term is used in this chapter.
- (h) "Fuel oil" means any product offered for sale that is burned in a furnace or boiler for the generation of heat and meets the standards prescribed for fuel oil by this chapter.
- (i) "Gasoline" means a volatile mixture of liquid hydrocarbons, generally containing small amounts of additives, suitable for use as a fuel in a spark-ignition internal combustion engine.
- (j) "Gasoline-oxygenate blend" means a fuel consisting primarily of gasoline along with a substantial amount of one or more oxygenates that meets ASTM International Standard D4814.
- (k) "Kerosene" means a fuel offered for sale that meets the standards for kerosene prescribed in this chapter.
- (l) "Lubricant" means a lubricating oil or other substance that reduces friction and wear between moving parts within an engine and other motor vehicle components.
- (m) "Lubricating oil" means motor oil, engine lubricant, engine oil, lubricating axle oil, gear oil, or manual transmission fluid.
- (n) "Manufacturer" means manufacturer, refiner, producer, or importer.
- (o) "Motor oil" means an oil that reduces friction and wear between the moving parts within an internal combustion engine and also serves as a coolant. For purposes of this chapter, motor oil also means engine oil.
- (p) "Motor vehicle fuel" means an engine fuel intended for consumption in, including, but not limited to, an internal combustion engine, fuel cell, or electric motor to produce power to self-propel a vehicle designed for transporting persons or property on a public street or highway.
- (q) "Octane number" or "antiknock index number," when used in this chapter, means that number assigned to a spark-ignition engine fuel that designates the antiknock quality. The

“octane number” or “antiknock index number” shall be determined according to the ASTM International method or methods designated in the latest ASTM International Standard Specification D4814.

(r) “Oxygenate” means an oxygen-containing ashless organic compound, such as an alcohol or ether, that can be used as a fuel or fuel supplement.

(s) “Renewable diesel fuel” means a diesel fuel derived from nonpetroleum renewable resources. Renewable diesel fuel does not include biodiesel, as defined in paragraph (1) of subdivision (b).

(t) “Sell” or any of its variants means attempt to sell, offer for sale or assist in the sale of, permit to be sold or offered for sale or delivery, offer for delivery, trade, barter, or expose for sale.

(u) “Standard test” means a test conducted in accordance with the latest published standard adopted by ASTM International.

*Added Stats. 2016 ch 591 § 3.*

**§§ 13401. – 13404. [REPEALED].**

*Repealed Stats. 2015 ch 591*

**§ 13404. “SALE OF NATURAL GAS AS A MOTOR VEHICLE FUEL”**

(a) The sale of compressed natural gas by persons who sell compressed natural gas at retail to the public for use only as a motor vehicle fuel, and who are exempted from public utility status by subdivision (f) of Section 216 of the Public Utilities Code, is a sale of a motor fuel for the purposes of this chapter.

(b) Compressed natural gas sold at retail to the public for use as a motor vehicle fuel shall be sold in a gasoline gallon equivalent that shall be equal to 126.67 cubic feet, or 5.66 pounds, of compressed natural gas, measured at the standard pressure and temperature, described in Section 8615 of the Revenue and Taxation Code.

(c) Liquefied natural gas sold at retail to the public for use as a motor vehicle fuel shall be sold in a diesel gallon equivalent that shall be equal to 6.06 pounds of liquefied natural gas.

*Added Stats. 1991 ch 514 § 1; Amended Stats. 2014 ch 805 § 1.*

**§ 13404.5. ESTABLISHMENT OF THE METHOD-OF-SALE OF MOTOR VEHICLE FUELS AND LUBRICANTS**

The secretary shall establish the method of sale of motor vehicle fuels and lubricants sold at retail to the public. In doing so, the secretary shall adopt, by reference, the latest method of sale for motor vehicle fuels and lubricants adopted by the National Conference on Weights and Measures and published in the National Institute of Standards and Technology Handbook 130 “Uniform Laws and Regulations in the Areas of Legal Metrology and Engine Fuel Quality,” except as specifically provided by the Legislature or modified, amended, or rejected by regulations adopted by the secretary. In the absence

of national standards, the secretary may adopt interim standards of method of sale until the time when the standards are adopted by the National Conference on Weights and Measures and published in the National Institute of Standards and Technology.  
*Added Stats. 2015 ch 591 § 7.*

**§ 13405. DEVELOPMENTAL ENGINE FUELS**

(a) The department may grant a variance from the specifications of this chapter for developmental engine fuels if all of the following conditions apply:

- (1) Variances may only be granted to provide for the development of information under controlled test conditions to assist in the creation of chemical and performance standards for engine fuels.
- (2) Developmental engine fuel shall only be distributed or sold to fleet-type centrally fueled vehicle and equipment users.
- (3) The applicant shall warn all parties in writing of any potential risk associated with the use of the developmental engine fuel.
- (4) The applicant shall report information when and as the department may prescribe in order for the department to monitor the progress of the developmental engine fuel technology evaluation.

(b) The applicant for a variance shall comply with all other requirements, terms, and conditions contained in this division and regulations adopted by the department to further the purposes and administration of this section.

- (c)
- (1) In granting a variance, the department expresses no opinion as to whether an applicant's developmental engine fuel will perform as represented by the applicant nor any opinion to the extent, if at all, that the developmental engine fuel may be safely and effectively used as a substitute for other spark-ignition or compression-ignition engine fuels without incident.
  - (2) Damages caused by the sale, delivery, storage, handling, and usage of the developmental engine fuel shall be addressed in accordance with contractual provisions negotiated and agreed upon by the applicant and the user.

(d) The department may withdraw a variance if the applicant does not adhere to the conditions required to obtain the variance or if the department recognizes a high probability of equipment harm with the continued use of the developmental engine fuel or to protect public safety.

*Added Stats. 2001 ch 596 § 2; Amended Stats. 2015 ch 591 § 8.*

## **ARTICLE 2. - SALE OF MOTOR VEHICLE FUELS AND LUBRICANTS. §§ 13410. - 13413.**

**[Added by Stats. 1974 ch 1475 § 1.]  
Renumbered Stats. 1980 ch 636**

### **§ 13410. PURCHASES BY GOVERNMENTAL ENTITIES**

(a) No person engaged in the business of extracting oil or gas from lands within the state, or of producing motor vehicle fuels for sale within the state, may refuse to sell to any city or county sufficient quantities of his or her motor vehicle fuels or lubricants, or both, sold during the normal course of business for the essential services provided by the city or county.

(b) The board of supervisors of a county or its designated county agency, upon application for the purchase motor vehicle fuels or lubricants, or both, to perform essential services by a city within that county, by any agency of such city or county that performs an essential service, or by any transit district created pursuant to law, may arrange for the purchase and shall apportion the purchase among all persons specified in subdivision (a) who engage in the sale of motor vehicle fuels or lubricants, or both, within that county. The board of supervisors or its designated county agency shall, to the extent possible, apportion the total purchase of the motor vehicle fuels or lubricants, or both, on the basis of the persons' sales of that motor vehicle fuels or lubricants, or both, in the county during the most recent 90-day period for which information is available.

(c) For purposes of this section, "essential services" means police, fire, health, and transportation services provided by public agencies.

*Added Stats. 1974 ch 1475 § 1; Renumbered Stats. 1980 ch 636 § 5; Amended Stats. ch 2015 ch 591 § 10.*

### **§ 13411. SALE OF MOTOR VEHICLE FUELS AND LUBRICANTS CONTINGENT UPON ADDITIONAL PURCHASE**

It is unlawful for any person to sell or offer to sell motor vehicle fuel for use in any vehicle, as the term vehicle is defined by the Vehicle Code, on the condition that the purchaser also must purchase or pay for any other products, merchandise, or services. This section does not apply to parking time charges at locations also selling electricity as a motor vehicle fuel.

*Added Stats. 1974 ch 1167 § 1; Renumbered Stats. 1980 ch 636; Amended Stats. 1980 ch 1344 § 1; Amended Stats. ch 2015 ch 591 § 11.*

### **§ 13412. REFUELING SERVICES TO DISABLED DRIVERS: EXEMPT FACILITIES [REPEALED]**

*Repealed Stats. 1997 ch 836 § 2.*

**§ 13413. DECEPTIVE, FALSE, OR MISLEADING STATEMENTS: UNFAIR TRADE PRACTICES**

(a) It is unlawful for any person or other legal entity to make any deceptive, false, or misleading statement by any means whatever regarding quality, quantity, performance, price, discount, or saving used in the sale or selling of any commodity regulated pursuant to this chapter.

(b) The following misleading, unfair, or deceptive acts or practices committed or permitted by any person offering for sale any product that is regulated by this chapter are also a violation of this section:

- (1) Misrepresenting the brand, grade, quality, or price of a motor vehicle fuel or lubricant.
- (2) Using false or deceptive representations or designations in connection with the sale of motor vehicle fuels or lubricants.
- (3) Advertising motor vehicle fuels or lubricants or services and not selling them as advertised.
- (4) Advertising motor vehicle fuels or lubricants of a designated brand, grade, trademark, or trade name not actually sold or available for sale.
- (5) Making false, deceptive, or misleading statements concerning conditions of sale or price reductions.
- (6) Representing that the consumer will receive a rebate, discount, or other economic benefit and then failing to give that rebate, discount, or other economic benefit.
- (7) Except as otherwise permitted, selling a grade of motor vehicle fuel at more than one price and advertising only the lower price without advertising each of the higher prices in equal size numerals on the same advertising medium.
- (8) Placing letters, words, figures, or numerals on any advertising medium offering for sale any goods or merchandise, other than motor vehicle fuel, if the advertising medium may be construed by any reasonable person as advertising a price of motor vehicle fuel.
- (9) Forging or falsifying any records or documents required by this chapter or knowingly keeping, using, or displaying the false or forged records or documents.

*Added Stats. 1984 ch 698; Amended Stats. 1986 ch 201 § 2: ; Amended Stats. 2015 ch 591 § 12.*

### **ARTICLE 3. – HOURS OF BUSINESS. §§ 13420. – 13422.**

**[Added by Stats. 1974 ch 1238 § 1.]  
Renumbered Stats. 1980 ch 636**

#### **§ 13420. OPERATORS OF MOTOR VEHICLE FUEL DEALERSHIPS REQUIRED TO MAKE MONTHLY UPDATE OF ADVERTISING MEDIUM INDICATING HOURS OF SALE**

Every person, firm, partnership, association, trustee, or corporation that owns, leases, or rents and operates a facility that offers any motor vehicle fuel for sale to the public from a fueling facility abutting or adjacent to a street or highway shall accurately update all signs, banners, or other advertising media that indicate hours of the sale. Advertising media indicating hours of sale shall be updated on a monthly basis.

*Added Stats. 1974 ch 1238 § 1; Renumbered Stats. 1980 ch 636 § 5; Amended Stats. 2015 ch 591 § 13.*

#### **§ 13421. OPERATORS OF MOTOR VEHICLE FUEL DEALERSHIPS REQUIRED TO TURN OFF OUTDOOR LIGHTED ADVERTISING MEDIUM WHEN NOT OPEN FOR BUSINESS**

Every person, firm, partnership, association, trustee, or corporation that owns, leases, or rents and operates a facility that offers any motor vehicle fuel for sale to the public from the facility abutting or adjacent to a street or highway shall turn off all outdoor lighted advertising media at their place of business when they are not open for business. This section shall only apply to the fueling facility and not the retail business

in a situation where the fueling facility is a part of and adjacent to a retail business provided the retail sale of gasoline or other motor vehicle fuel is not the primary purpose of that business.

*Added Stats. 1974 ch 1238 § 1; Renumbered Stats. 1980 ch 636 § 5; Amended Stats. 2015 ch 591 § 14.*

#### **§ 13422. PUNISHMENT FOR VIOLATIONS**

A violation of this article is an infraction punishable by a fine not to exceed one hundred dollars (\$100).

*Added Stats. 1974 ch 1238 § 1; Renumbered Stats. 1980 ch 636; Amended Stats. 1983 ch 1092 § 46.*

## **ARTICLE 4. - MOTOR OIL FEE - §§ 13430. – 13434.**

**[Added by Stats. 1979 ch 1016 § 2.]  
Renumbered Stats. 1980 ch 636**

### **§ 13430. “MOTOR OIL DEALER”**

As used in this article, “motor oil dealer” means any person, firm, or corporation engaged in the business of producing, packaging or otherwise preparing motor oil for market, or selling or distributing motor oil.

Notwithstanding any other provision of this division, and for the purpose of this article, “motor oil” means any product used to lubricate the moving parts of an internal combustion engine.

*Added Stats. 1979 ch 1016 § 2; Renumbered Stats. 1980 ch 636 § 5.*

### **§ 13431. AMOUNT: PERSONS LIABLE**

The following persons shall pay to the secretary a maximum fee of five cents (\$0.05) for each gallon of motor oil sold or purchased on or after January 1, 2010, as hereinafter provided:

- (a) The first person who produced the motor oil shall pay the fee when the motor oil is sold to any retail establishment or motor oil dealer including any sold to the federal government, or its agencies.
- (b) A retailer shall pay the fee for motor oil received when he or she transports or causes to be transported motor oil into this state from out of state.
- (c) On any other sale of motor oil the dealer shall pay the fee except that this subdivision shall not apply to any person selling motor oil at retail.
- (d) The assessment provided for in this section shall only be paid once on any particular motor oil. The secretary may apply a fee of three cents (\$0.03) for each gallon of motor oil sold or purchased, as provided in subdivisions (a) to (d), inclusive, prior to the adoption of regulations. The provisions of this section shall not apply to motor oil exported for sale outside this state.

*Added Stats. 1979 ch 1016 § 2; Renumbered Stats. 1980 ch 636; Amended Stats. 1980 ch 280; Amended Stats. 2009, Ch. 573, Sec. 1.*



**§ 13432. ADJUSTMENTS TO MAXIMUM FEE**

The fees provided in Section 13431 are maximum fees and may be established at a lower rate by the secretary at any time the funds derived from such assessment are more than reasonably necessary to cover the cost of administration and enforcement of this chapter, including the maintenance of a reasonable reserve fund for such purposes.

*Added Stats. 1979 ch 1016 § 2; Renumbered Stats. 1980 ch 636 § 5; Amended Stats. 2017 ch 573 § 69.*

**§ 13433. REGULATIONS PRESCRIBING FREQUENCY OF PAYMENTS, PROCEDURES FOR PAYMENT OR REFUNDS, AND PENALTIES**

The secretary may, by regulation, prescribe the frequency of payments of such assessments, the procedures for such payment, the procedures for refunds of payment, and penalties for late payment.

*Added Stats. 1979 ch 1016 § 2; Renumbered Stats. 1980 ch 636 § 5; Amended Stats. 2017 ch 573 § 70.*

**§ 13434. DEPOSIT OF MONEYS IN DEPARTMENT OF FOOD AND AGRICULTURE FUND**

The moneys which are received by the secretary pursuant to this chapter shall be deposited in the Department of Food and Agriculture Fund and shall be used only for the administration and enforcement of this chapter and Chapter 15 (commencing with Section 13700).

*Added Stats. 1979 ch 1016 § 2; Renumbered Stats. 1980 ch 636 § 5; Amended Stats. 1985 ch 345 § 1; Amended Stats. 2017 ch 573 § 71.*

**ARTICLE 5. - STANDARDS FOR SPARK-IGNITION FUELS**  
**§§ 13440. – 13443.**

**[Amended Stats. 2015 ch 591 § 15]**

**§ 13440. SPECIFICATIONS: RULES AND REGULATIONS: STANDARDS  
APPLICABLE IN ADOPTION THEREOF**

(a) The department shall establish specifications for automotive spark-ignition engine fuels. The department shall adopt by reference the latest standards established by a recognized consensus organization or standards writing organization such as ASTM International or SAE International, for automotive spark-ignition engine fuel, except that no specification shall be less stringent than required by any California state law.

(b) Any gasoline-oxygenate blend containing methanol shall also contain an alcohol cosolvent (butanol or higher molecular weight alcohol) in an amount equal to or greater than the volume percentage of methanol except those blends previously granted a waiver by the United States Environmental Protection Agency.

(c) The antiknock index as defined in Section 13400 for gasoline and gasoline-oxygenate blends shall not be less than 87.

(d) Gasoline and gasoline-oxygenate blends shall meet the latest specifications set forth in ASTM International Standard Specification D4814.

(e) Notwithstanding any other provision of this section, gasoline sold for use in Inyo or Mono County, or the portion of Kern County lying east of the Los Angeles County Aqueduct, shall comply with the latest specification set forth in ASTM International Specification D4814 relating to volatility class standards for the season during which the gasoline is sold for either the interior region or the southeast region of California.

(f) Ethanol fuel blends shall meet the latest specifications set forth in ASTM International Standard Specification D5798.

(g) Methanol fuel blends shall meet the latest specifications set forth in ASTM International Standard Specification D5797.

(h) Liquefied petroleum gas for use as a motor vehicle fuel shall meet the latest specifications set forth in ASTM International Standard Specification D1835.

(i) Natural gas for use as a motor vehicle fuel shall meet the latest specification set forth by the ASTM International or SAE International.

*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636; Amended Stats. 1983 ch 1012 § 1; Amended Stats. 1985 ch 167 § 2; Amended Stats. 1989 ch 1047 § 3; Amended Stats. 1993 ch 740 § 2.5; Amended Stats. 1994 ch 521 § 2; Amended Stats. 1996 ch 489 § 1. Amended Stats. 2012 ch 661 § 52; Amended Stats. 2015 ch 591 § 16.*

#### **§ 13440.5. DETERMINING ETHANOL PERCENTAGE**

For purposes of determining the percentage of ethanol in a gasoline-oxygenate blend for use as a fuel, the volume of ethanol includes the volume of any denaturant (including gasoline) that is added to the extent that these denaturants do not exceed the maximum volume percent specified in the latest standard established by ASTM International, except that no standard shall be less stringent than required by any California state law.

*Added Stats. 1983 ch 1012 § 2; Amended Stats. 2015 ch 591 § 17.*

#### **§ 13441. SALE OR DELIVERY OF NONSTANDARD PRODUCT**

It is unlawful for any person to sell any product as, or purporting to be, gasoline or automotive spark-ignition engine fuel, unless the product conforms to the specifications of this article.

*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636; Amended Stats. 1985 ch 167 § 2.5.*

#### **§ 13442. SALE OR DELIVERY OF NONSTANDARD PRODUCT AS MOTOR VEHICLE FUEL FOR INTERNAL COMBUSTION ENGINES: DISPLAY OF SIGN OR LABEL: INAPPLICABILITY OF PROVISIONS OF ARTICLE AS TO WORDS "NOT GASOLINE" REGARDING SIGNS OR LABELS USED IN CONNECTION WITH CERTAIN PRODUCTS**

(a) It is unlawful for any person to sell, offer for sale, or cause or permit to be sold or offered for sale, or deliver or offer for delivery, any product used as a motor vehicle fuel for internal combustion engines at any place where motor vehicle fuels are kept or stored for sale, which does not conform to the requirements of this article, unless and until there shall be firmly attached to or painted upon each container, receptacle, pump, and inlet end of the fill pipe of each underground storage tank, or other equipment used for storage of motor vehicle fuel, from which or into which the motor vehicle fuel is drawn or poured for sale or delivery, a sign or label, plainly visible, comprising the brand, trademark, or trade name of such fuel, or the words "no brand," that words shall be in letters of gothic type with a stroke of not less than one-eighth inch in width and not less than one inch in height, and also the words "not gasoline" in red letters of gothic type with a stroke of not less than one-half inch in width and not less than three inches in height, on a white background and not less than twice the size of any other letters or words appearing on or near the label or sign.

(b) The provisions of this article, as to the words "not gasoline," shall not apply to signs or labels used in connection with the sale or delivery of kerosene, jet or turbine fuel, diesel fuel, liquefied petroleum gas, natural gas, or motor fuel comprised of a mixture of gasoline and lubricating oil properly labeled in accordance with the provisions of Article 9 (commencing with Section 13480).

(c) This section does not apply to electricity sold as a motor vehicle fuel.

*Added Stats. 1963 ch 2005 § 2; Amended Stats. 1967 ch 68 § 4; Stats. 1970 ch 140 § 2;*

*Renumbered Stats. 1980 ch 636 § 5; Amended Stats. 1989 ch 1047 § 3; Amended Stats. 2015 ch 591 § 17.*

**§ 13443. SPECIFICATIONS OF SIGN OR LABEL**

The sign or label required by this article to be attached to the inlet end of the fill pipe of an underground storage tank shall consist of a tag or plate firmly attached or affixed and plainly visible while the tank is being filled. The letters on such sign or label may be of any convenient size.

*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636 § 5.*

**ARTICLE 5.5. - STANDARDS FOR ALTERNATIVE FUELS - § 13446.**

**[Added by Stats. 2005 ch 91 § 3.]**

**[Repealed by Stats. 2015 ch 591 § 20.]**

**[Added by Stats. 2015 ch 591 § 21.]**

**§13446. STANDARDS ADOPTION**

The department may establish interim specifications for alternative fuel for use in motor vehicles until a standards development organization accredited by the American National Standards Institute (ANSI) formally adopts a standard for the fuel for use in motor vehicles. The department shall then adopt, by reference, the latest standard established by the ANSI-accredited standards development organization for alternative fuel, except that no specification shall be less stringent than required by any California state law.

*Added Stats. 2015 ch 591 § 21.*

## ARTICLE 6. - STANDARDS FOR COMPRESSION-IGNITION ENGINE FUELS, KEROSENE AND FUEL OILS §§ 13450. – 13450.

[Added by Stats. 1974 ch 862 § 4.]  
Renumbered Stats. 1980 ch 636.  
[Amended Stats. 2015 ch 591 § 22]

### § 13450. COMPRESSION-IGNITION ENGINE FUELS, KEROSENE AND FUEL OILS

The department shall establish specifications for compression-ignition engine fuel, kerosene, and fuel oil. The department shall adopt by reference the latest standards established by a recognized consensus organization or standards writing organization such as the ASTM International or the SAE International, for compression-ignition engine fuels, kerosene, and fuel oil, except that no specification shall be less stringent than required by any California state law.

(a) Diesel fuel oil and renewable diesel fuel oil shall meet the specifications set forth in ASTM International Standard Specification D975.

(b) Kerosene shall meet the specifications set forth in ASTM International Standard Specification D3699.

(c) Fuel oil shall meet the specifications set forth in ASTM International Standard Specification D396.

(d) Biodiesel blends shall meet the latest specifications set forth in ASTM International Standard Specification D7467.

(e) Dimethyl ether used as a motor vehicle fuel shall meet the latest specifications set forth in ASTM International Standard Specification D7901.

(f) Renewable diesel fuel shall meet the specifications set forth in ASTM International Standard Specification D975.

*Added Stats. 1974 ch 862 § 4; Renumbered Stats. 1980 ch 636 § 5; Amended Stats. 1982 ch 454 § 12; Repealed and added Stats. 1985 ch 167 §§ 3 and 4; Amended Stats. 1993 ch 740 § 3. Amended Stats. 2012 ch 661 § 53; Amended Stats. 2015 ch 591 § 23.*

### § 13451. SALE OR DELIVERY OF NONSTANDARD COMPRESSION-IGNITION ENGINE FUEL, DIESEL FUEL, KEROSENE OR FUEL OIL

It is unlawful for any person to sell or deliver to any premises for the purpose of sale, any product as or purported to be “compression-ignition engine fuel,” “diesel fuel,” “kerosene,” or “fuel oil,” unless the product conforms to the specifications of this article.

*Added Stats. 1974 ch 862 § 4; Renumbered Stats. 1980 ch 636 § 5; Repealed and added Stats. 1985 ch 167 §§ 5 and 6; Amended Stats. 1993 ch 740 § 4; Amended Stats. 1994 ch 521 § 3.*

## **ARTICLE 7. - STANDARDS FOR LUBRICATING OILS AND OILS USED TO LUBRICATE TRANSMISSIONS, GEARS OR AXLES - §§ 13460. – 13462.**

[The heading of Article 4 was amended to read as above by Stats. 1968 ch 1072 § 2.]  
Renumbered Stats. 1980 ch 636.

### **§ 13460. SPECIFICATIONS: PRODUCTS FOR USE IN INTERNAL COMBUSTION ENGINE**

Engine oil shall not be sold or distributed for use in an internal combustion engine unless the product conforms to the following specifications:

(a) It shall meet the engine oil requirements established by a minimum of one current API classification pursuant to the latest revision of the SAE International Standard SAE J183 for engine oil performance and engine service classification, or a minimum of one current sequence of the European Automobile Manufacturers Association (ACEA) “European Oil Specification.”

(b) It shall be free from water and suspended matter when tested by means of centrifuge, in accordance with the standard test ASTM D-2273.

(c) Any engine oil that is represented to meet SAE International SAE J183 engine oil performance and engine service classification SA must have either an acid number or base number of 0.20 mg of KOH/g as measured by ASTM International Standard Test Method D974 or equivalent.

(d) Any engine oil represented as “resource conserving” shall meet the requirements established by the latest revision of the SAE International Recommended Practice SAE J-1423.

*Repealed and added Stats. 1989 ch 1047 §§ 4 and 5; Amended tats. 2012 ch 661 § 54; Amended Stats. 2015 ch 591 § 24.*

### **§ 13461. PRODUCTS FOR USE IN LUBRICATING TRANSMISSIONS, GEARS OR AXLES**

Lubricating oil shall not be sold or distributed for use in lubricating manual transmissions, gears, or axles unless the product conforms to the following specifications:

(a) It meets the service requirements contained in the latest revision of the SAE Information Report on axle and manual transmission lubricants SAE J308.

(b) The viscosity grade classification number shall be the same as the latest published SAE International Standard SAE J306 when tested in accordance with the latest method published by the ASTM International.

(c) It shall be free from water and suspended matter when tested by means of centrifuge, in accordance with the standard test ASTM D-2273.

*Repealed and added Stats. 1989 ch 1047 §§ 6 and 7; Amended Stats. 2012 ch 661 § 55.*

**§ 13462. DOCUMENTATION OF CLAIMS MADE UPON PRODUCTS' LABEL**

Any manufacturer or packager of any product subject to this article and sold in this State shall provide, upon request to duly authorized representatives of the department, documentation of any claim made upon their products' label.

*Amended Stats. 1977 ch 1226; Renumbered Stats. 1980 ch 636; Repealed and added Stats. 1989 ch 1047 §§ 8 and 9.*

## ARTICLE 8. - PRICE INDICATIONS ON MOTOR VEHICLE FUEL DISPENSING APPARATUS - §§ 13470. – 13477.

Renumbered Stats. 1980 ch 636.  
[Amended Stats. 2015 ch 591 § 25]

### § 13470. DISPLAY OF PRICE SIGN ON DISPENSING APPARATUS: CONTENTS OF SIGN

- (a) A person shall not sell at retail to the general public, any motor vehicle fuel from any place of business in this state unless there is displayed on the dispensing apparatus in a conspicuous place at least one sign or price indicator showing the total price per gallon, liter, or other unit of measurement adopted pursuant to Section 12107, 13404, or 13404.5 of all motor vehicle fuel sold therefrom. The total price per gallon, liter, or other unit of measurement shall include applicable fuel taxes and all sales taxes.
- (b) (1) A person shall not sell at retail to the general public, any compressed natural gas for use as a motor vehicle fuel from any place of business in this state unless there is displayed and labeled on the dispensing apparatus in a conspicuous place "Gasoline gallon equivalent."
- (2) A person shall not sell at retail to the general public, any liquefied natural gas for use as a motor vehicle fuel from any place of business in this state unless there is displayed and labeled on the dispensing apparatus in a conspicuous place "Diesel gallon equivalent."
- (c) When a discount is offered from a dispenser computing only at a higher price, at least one sign or label shall be conspicuously displayed on the dispenser indicating that the dispenser is computing at the higher price and indicating the amount of the discount per unit of measurement in letters and numerals not less than one-half inch high.
- (d) If motor vehicle fuel is sold by unit of measurement other than gallon, that unit shall be conspicuously displayed on the side of the dispensing apparatus from which service can be made.

*Amended Stats. 1976 ch 535; Amended Stats. 1978 ch 753; Renumbered Stats. 1980 ch 636 § 5; Amended Stats. 1985 ch 345 § 2; Amended Stats. 2014 ch 805 § 2; Amended Stats. 2015 ch 591 § 26.*

### § 13470.1. MAXIMUM LAWFUL SELLING PRICE

- (a) No person shall sell at retail to the general public any motor vehicle fuel from any place of business in this state unless such person shall post and maintain in legible form the maximum lawful selling price of each type and grade of gasoline. The maximum lawful selling price shall be posted on each pump used to dispense gasoline at retail outlets in numbers not less than one-half inch high facing each direction from which the pumps are generally viewed by customers. The posting of the actual selling price is not considered to be the posting of the maximum lawful selling price as required by this



paragraph. When-ever an adjustment is made to the maximum lawful selling price, each retail seller must post the new adjusted maximum lawful selling price, and remove the prior posted price.

(b) For the purposes of this section, “maximum lawful selling price” means the maximum lawful selling price as defined under the Emergency Petroleum Allocation Act, 15 USC 751 et. seq., and any regulations promulgated pursuant thereto.

(c) Enforcement by the Division of Measurement Standards and each county sealer of weights and measures may consist of referring complaints and information regarding possible violations to the appropriate federal agency.

*Added Stats. 1980 ch 984 § 1.*

### **§ 13470.5. GALLON-TO-LITER CONVERSION TABLE**

Any person selling, offering for sale, or advertising for sale, at retail to the general public, any gasoline or other motor vehicle fuel from any place of business in this state by use of or through or from any dispensing apparatus and displaying any sign showing the total price per liter, shall, in addition, display in a conspicuous fashion in full view of the retail purchaser and in accordance with provisions of this chapter, a gallon-to-liter conversion table showing quantity and price equivalents.

*Added Stats. 1976 ch 535 § 1.5; Amended Stats. 1979 ch 527 § 13; Renumbered Stats. 1980 ch 636 § 5; Amended Stats. 1984 ch 532; Amended Stats. 1985 ch 167 § 7; Amended Stats. 2015 ch 591 § 27.*

### **§ 13471. PLACEMENT OF SIGNS**

Each sign required by this article shall be placed in a conspicuous place on the dispensing apparatus and if service of motor vehicle fuel may be made from more than one side of such dispensing apparatus the sign shall be so placed as to be visible from at least two sides of the dispensing apparatus.

*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636 § 5; Amended Stats. 1985 ch 167; Amended Stats. 2015 ch 591 § 28.*

### **§ 13472. DUAL PRICING**

When a sign is used in addition to a price indicator, as defined in Section 13470, and if the same grade of motor vehicle fuel is sold at a different price from any other dispenser on the same premises, it shall be unlawful to display the sign on a dispenser unless a sign with price numerals of equal size is displayed upon each dispenser from which the same grade of motor vehicle fuel is dispensed at higher prices.

*Added Stats. 1963 ch 2005 § 2; Amended Stats. 1978 ch 753; Renumbered Stats. 1980 ch 636 § 5; Amended Stats. 2015 ch 591 § 29.*

**§ 13473. SIZE OF LETTERS AND FIGURES**

Unless otherwise provided, all letters, figures, or numerals on each sign required by this article, however affixed, marked, imprinted, placed, or embossed, shall be at least three-fourths of an inch in height and all lines or marks used in the making or forming of all the letters, figures, or numerals which are a part of the sign shall be at least one-eighth of an inch in width.

*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636 § 5; Amended Stats. 1985 ch 345 § 3.*

**§ 13474. LEGIBILITY OF SIGNS**

All letters, figures or numerals which are part of any sign or price indicator required by this article shall be plainly legible. The color or tint shall contrast with the background and other parts of the sign.

*Added Stats. 1963 ch 2005 § 2; Amended Stats. 1978 ch 753; Renumbered Stats. 1980 ch 636 § 5.*

**§ 13475. FRACTIONS AS NUMERALS**

For the purpose of this article a fraction is considered one numeral.

*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636 § 5.*

**§ 13476. DISSEMINATION OF FALSE, DECEPTIVE OR MISLEADING INFORMATION AS TO PRICE PROHIBITED [REPEALED]**

*Repealed Stats. 1984 ch 698.*

**§ 13477. INAPPLICABILITY TO SALE FOR AIRCRAFT**

The provisions of this article shall not apply to the sale of motor vehicle fuel for aircraft through or from any portable dispensing device.

*Added Stats. 1970 ch 140 § 3; Amended Stats. 1978 ch 753; Renumbered Stats. 1980 ch 636 § 5; Amended Stats. 2015 ch 591 § 30.*

## ARTICLE 9. – LABELING - §§ 13480. – 13490.

### Renumbered Stats. 1980 ch 636.

#### **§ 13480. SALE, ETC., OF MOTOR VEHICLE FUELS OR LUBRICANTS FROM UNLABELED CONTAINERS, ETC., UNLAWFUL: VISCOSITY RATING: CONTAINERS WITH NET CONTENT OF GALLON OR LESS**

(a) It is unlawful for any person to sell any motor vehicle fuel or lubricant referred to in this chapter at any place where motor vehicle fuels or lubricants are kept or stored for sale, unless there is affixed to each container, receptacle, pump, dispenser, and inlet end of the fill pipe of each underground storage tank, from which or into which that product is drawn or poured out for sale or delivery, a sign or label plainly visible consisting of the name of the product, the brand, trademark, or trade name of the product, and, in the case of motor vehicle fuel and kerosene, the grade or brand name designation.

(b) When the product is a lubricant, as defined by Section 13400, each sign or label shall also have in letters or numerals, plainly visible, the viscosity grade classification as determined in accordance with the SAE International latest standard for engine oil viscosity classification SAE J300 or manual transmission and axle lubricants viscosity classification SAE J306, as applicable, and shall be preceded by the letters “SAE.”

(c) When the product is automotive spark-ignition engine fuel the secretary shall make rules and regulations as are reasonably necessary to define and enforce the octane number, antiknock index labeling requirements, or other labeling requirements of the product sold.

(d) When the product is a motor vehicle fuel consisting of a mixture or premixture of gasoline and oil or gasoline-oxygenate blend and motor oil, there shall be conspicuously displayed on the dispensing device at least one sign or label stating the ratio of gasoline to motor oil or gasoline-oxygenate blend to motor oil.

(e) All signs or labels required by this section for retail motor vehicle fuel dispensers and containers of more than one gallon capacity shall be in letters and numerals not less than one-half inch (12.70 mm) in height. On containers of one gallon or less, the signs or labels shall be in letters and numerals not less than one-fourth inch (6.35 mm) in height and one-sixteenth inch (1.59 mm) in width.

(f) The provisions of this section pertaining to octane numbers or antiknock index and motor oil SAE International viscosity number grade shall not apply to products sold for aviation purposes.

(g) This section does not apply to electricity sold as a motor vehicle fuel.

*Added Stats. 1963 ch 2005 § 2; Amended Stats. 1968 ch 1072 § 4; Stats. 1970 ch 140 § 4; Stats. 1974 ch 862 § 5; Stats. 1975 ch 547 § 7; Amended Stats. 1978 ch 753; Renumbered Stats. 1980 ch 636 § 5; Amended Stats. 1982 ch 758 § 34; Amended Stats. 1983 ch 1012 § 3; Amended Stats. 1985 ch 167 § 9; Amended Stats. 1989 ch 1047 § 10; Amended Stats. 1994 ch 521 § 4; Amended Stats. 1998 ch 459 § 1. Amended Stats. 2012 ch 661 § 56; Amended Stats. 2015 ch 591 § 31.*

**§ 13481. MOTOR VEHICLE FUEL OR LUBRICANT WITHOUT BRAND, TRADEMARK, ETC.:REQUISITES OF LABEL**

(a) If any motor vehicle fuel or lubricant is offered for sale, but not under any brand, trademark, or trade name, the words “no brand” shall be used as the brand, trademark, or trade name designation. The words “no brand” shall be in letters of gothic type with a stroke of not less than one-half inch in width, not less than three inches in height, and shall consist of red letters on a white background.

(b) This section does not apply to electricity sold as a motor vehicle fuel.

*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636 § 5; Repealed and Added Stats. 1988 ch 590 §§ 1 and 2; Amended Stats. 2015 ch 591 § 32.*

**§ 13482. SAE/API SERVICE CLASSIFICATION: LABEL REQUIREMENTS**

(a) It is unlawful for any person to sell or distribute engine oil or lubricant unless both of the following are met:

(1) The product conforms to a minimum of one active API classification pursuant to the latest revision of SAE J183 “Engine Oil Performance and Engine Service Classification,” a minimum of one active sequence of the European Automobile Manufacturers’ Association (ACEA) “European Oil Sequences specification,” or a minimum of one active OEM specification.

(2) The API classification or ACEA sequence or OEM specification and SAE J300 viscosity grade is conspicuously marked on each container or, if provided in bulk, properly described in product transfer documents.

(b) It is unlawful for any person to sell or distribute axle and manual transmission lubricant unless it conforms to an SAE J306 viscosity grade.

*Added Stats. 1989 ch 1047 § 11; Amended Stats. 2015 ch 591 § 33.*

**§ 13483. APPLICATION OF RULES RESPECTING LETTERING TO SIGNS, ETC., AT INLET END OF STORAGE TANKS**

The provisions of this article as to size of letters shall not apply to signs or labels at the inlet end of any underground storage tank, which letters may be of any convenient size but such letters shall be plainly visible while such underground storage tank is being filled.

*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636 § 5.*

**§ 13484. PLACEMENT OF SIGNS ON PUMPS, ETC.**

Whenever any pump, receptacle or other container is maintained or used to serve more than one driveway, the signs or labels required by this chapter shall be placed upon both sides of such pump, receptacle or other container so that one set of signs or labels shall be clearly visible from each such driveway.

Wherever any pump, receptacle or other container is maintained or used to serve only one driveway, the signs or labels required by this chapter shall be upon the side of such pump, receptacle or other container adjacent to such driveway.

*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636 § 5.*

**§ 13485. REQUIREMENTS GOVERNING HAND MEASURES**

Small hand measures used for delivery of motor vehicle fuels or lubricants, and filled in the presence of the customer, need not be labeled in accordance with this chapter if the receptacle, container, or pump from which motor vehicle fuels or lubricants are drawn or poured into the hand measures is properly labeled as required by this chapter.

*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636 § 5; Amended Stats. 2015 ch 591 § 34.*

**§ 13486. FILLING OF TANKS, PUMPS, CONTAINERS, ETC., WITH, OR DELIVERY OF, PRODUCT OTHER THAN INDICATED BY BRAND, TRADEMARK, ETC.**

(a) It is unlawful, at any place of business where motor vehicle fuels or lubricants are sold, for any person to do either of the following:

- (1) Deliver into a storage tank or container any motor vehicle fuel or lubricant other than the product identified on the label attached to the storage tank or container.
- (2) Sell by means of, or through, a pump or other device, any motor vehicle fuel or lubricant other than the product identified on the required label, tag, or sign attached to the pump or other device.

(b) This section does not prohibit the delivery of motor vehicle fuel into a storage tank labeled with the authorized rebrand as provided in Article 14 (commencing with Section 13560).

*Added Stats. 1963 ch 2005 § 2; Amended Stats. 1970 ch 140 § 5; Stats. 1975 ch 547 § 9; Amended Stats. 1978 ch 753; Renumbered Stats. 1980 ch 636 § 5; Repealed and Added Stats. 1988 ch 590 §§ 4 and 5; Amended Stats. 2015 ch 591 § 35.*

**§ 13487. CONNECTION OF PUMP, ETC., BEARING PARTICULAR LABEL WITH RECEPTACLE CONTAINING ANOTHER PRODUCT**

*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636 § 5; Repealed Stats. 1988 ch 590 § 6.*

**§ 13488. DELIVERY OF PRODUCT OTHER THAN THAT INDICATED BY LABEL ON PUMP, ETC.**

*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636 § 5; Repealed Stats. 1988 ch 590 § 7.*

**§ 13489. AUTHORIZATION OF USE OF PUMPS OR OTHER DEVICES CAPABLE OF WITHDRAWING GASOLINE FROM EACH OF TWO TANKS CONTAINING DIFFERENT QUALITIES OF SAME PRODUCT AND DISPENSING THEM AS SINGLE COMBINED PRODUCT**

The use of pumps or other devices which are capable of withdrawing gasoline from each of two tanks containing different qualities of the same petroleum product and dispensing them as a single combined product shall be authorized when the department determines that all of the following conditions exist:

- (a) The device mechanism accurately measures the quantities of the gasoline being simultaneously withdrawn from each of the two tanks and the quantity dispensed.
- (b) The device mechanism accurately and visibly records and displays the resulting combined quality, the total quantity, the price per gallon or liter for the particular quality combination being dispensed, and the total price of the quantity of gasoline dispensed at the particular sale.
- (c) The device has a locking selector mechanism which prevents the changing of the proportion of the two qualities being combined during the dispensing of the desired quantity.

The provisions of this section shall not supersede any other provisions in this chapter, except that they shall supersede the provisions of Sections 13442, 13443, 13480, 13483, 13486, 13487, and 13488 to the extent necessary to authorize the operation of a blending type of pump connected to two tanks containing two different products, or two different grades of the same product, which, when blended together in different proportions will produce gasoline of different octane rating, each blend of which shall meet the specifications for gasoline as required by this chapter.

*Added Stats. 1963 ch 2005 § 2; Amended Stats. 1978 ch 753; Renumbered Stats. 1980 ch 636 § 5; Amended Stats. 1989 ch 1047 § 12.*

**§ 13490. AUTHORIZATION OF USE OF PUMPS OR OTHER DEVICES CAPABLE OF WITHDRAWING GASOLINE FROM ONE TANK AND MOTOR OIL FROM ANOTHER TANK AND DISPENSING THEM AS A SINGLE COMBINED PRODUCT, OR WITHDRAWING GASOLINE ALONE**

The use of pumps or other devices which are capable of withdrawing gasoline from one tank and motor oil, or a premixture of gasoline and motor oil in a known ratio, from another tank, and dispensing them as a single combined product, or of withdrawing gasoline alone from the tank containing gasoline and of withdrawing a premixture of gasoline and motor

oil alone from the tank containing a premixture of gasoline and motor oil shall be authorized when the department determines that all the following conditions exist:

- (a) The device mechanism accurately measures the quantities being simultaneously withdrawn for dispensing as a combined product from each of the two tanks when the combined product is dispensed, the quantity being dispensed from the gasoline tank when gasoline alone is dispensed, or the quantity being dispensed from the tank containing a premixture of gasoline and motor oil when the premixture alone is dispensed.
- (b) The device mechanism accurately and visibly records and displays: (1) the ratio of gasoline to motor oil or premixture, the quantity of each ingredient being dispensed, the price per gallon or liter for the gasoline being dispensed, and the price per quart or liter for any motor oil or premixture being dispensed or (2) the ratio of gasoline to motor oil or premixture and the price per gallon or liter for the product being dispensed.
- (c) The device mechanism prevents the changing of the ratio of gasoline to motor oil or premixture during dispensing.

The provisions of this section shall supersede Sections 13442, 13443, 13480, 13483, 13486, 13487, and 13488 to the extent necessary to authorize the operation of the above-described blending type of pump connected to two tanks, one containing motor oil, or a premixture of motor oil and gasoline in a known ratio, and the other gasoline, provided that the motor oil shall in its separate state meet the specifications for motor oil as required by Section 13460 and that the gasoline shall in its separate state meet the specifications for gasoline as required by Section 13440.

*Added Stats. 1963 ch 2005 § 2; Amended Stats. 1965 ch 1392 § 1; Stats. 1974 ch 862 § 6; Stats. 1975 ch 547 § 10; Amended Stats. 1978 ch 753; Renumbered Stats. 1980 ch 636 § 5; Amended Stats. 1985 ch 345 § 4; Amended Stats. 1989, ch 1047 § 13.*

## **ARTICLE 10. – TANK VEHICLES - §§ 13490. – 13503.**

**[Repealed Stats. 1984 ch 698 § 3.]**  
**[New Article Added Stats. 1984 ch 698 § 4.]**

### **§ 13500. LABELING**

It is unlawful for any person to transport in any tank vehicle, for the purpose of sale or for delivery to any place where motor vehicle fuels or lubricants are stored for sale, any product referred to in this chapter unless there is firmly affixed at each outlet or valve of the tank vehicle, a metal tag, plate, or label. The tag, plate or label shall display, in letters not less than one-half inch in height, the name and grade of the product in the tank compartment of the tank vehicle. In the case of motor oil, the SAE International viscosity number shall also be displayed on the tag, plate, or label.

*Added Stats. 1984 ch 698 § 4; Amended Stats. 2015 ch 591 § 36.*

### **§ 13501. COMMINGLING OF PRODUCTS**

It is unlawful for any person, when delivering for the purpose of sale, or delivering to any place where products referred to in this chapter are kept for sale, to commingle any product with another product or to commingle grades of a product, if as a result of the commingling the product delivered does not meet the specifications adopted or established by the department.

*Added Stats. 1984 ch 698 § 4; Amended Stats. 2015 ch 591 § 37.*

### **§ 13502. DELIVERIES INTO STORAGE TANKS**

It is unlawful for any person to deliver into a storage tank or container at any place where products referred to in this chapter are stored for sale, any product other than the product identified on the label attached to the storage tank or container.

*Added Stats. 1984 ch 698 § 4; Amended Stats. 2015 ch 591 § 38.*

### **§ 13503. DELIVERIES TO AIRCRAFT**

It is unlawful to deliver aviation gasoline to the fuel tank of any aircraft through the same meter used for deliveries of gasoline not specifically refined or manufactured for aviation use.

*Added Stats. 1984 ch 698 § 4.*



## **ARTICLE 11. – BASIS OF SETTLEMENT - § 13520.**

**[Added by Stats. 1975 ch 972 § 1.]  
Renumbered Stats. 1980 ch 636.**

### **§ 13520. TEMPERATURE-CORRECTED GALLONAGE**

It is unlawful for any distributor or for any broker to sell any product to a retailer or to any person, when the quantity distributed in any single delivery to a single location is 5,000 or more gallons, as, or purporting to be, gasoline or diesel fuel, unless, the distributor or broker, as the case may be, offers to invoice the purchaser for such gasoline or diesel fuel on the basis of temperature-corrected gallonage to 60 degrees Fahrenheit for all such deliveries to the purchaser over a period of twelve (12) consecutive months and settles his accounts with the purchaser on the same basis.

*Added Stats. 1975 ch 972 § 1; Amended Stats. 1979 ch 233 § 1; Renumbered Stats. 1980 ch 636 § 5.*

## **ARTICLE 12. - PRICE SIGN ADVERTISING - §§ 13530. – 13540.**

**[Repealed Stats. 1984 ch 698 § 5.]**  
**[New Article Added Stats. 1984 ch 698 § 6.]**

### **§ 13530. APPLICATION OF ARTICLE: DISPLAY OF PRICE PER GALLON, LITER, OR OTHER UNIT OF MEASUREMENT**

(a) Nothing in this article applies to price indicators and signs referred to in Article 8 (commencing with Section 13470). However, any numerals designating the total price per gallon, liter, or other unit of measurement adopted pursuant to Section 12107, 13404, or 13404.5 for a particular brand and grade of motor vehicle fuel permitted or required under Article 8 (commencing with Section 13470) shall, unless otherwise stated, be identical in numerical value with the price per gallon, liter, or other unit of measurement for the same brand and grade of motor vehicle fuel permitted or required under this article.

(b) Nothing in this chapter requires that the cash or merchandise value of trading stamps be stated on any advertising media that either advertises the stamps or advertises the price of motor vehicle fuel.

(c) Unless otherwise prohibited, any person selling motor vehicle fuel by the liter shall be authorized to advertise its price by displaying on the advertising medium either the price per liter or the price per gallon.

*Added Stats. 1984 ch 698 § 6; Amended Stats. 2015 ch 591 § 39.*

### **§ 13531. DISPLAY REQUIREMENTS: EXEMPTION OF SPECIFIED GEOGRAPHIC AREAS: VIOLATIONS: ENFORCEMENT**

(a) (1) Every person offering for sale or selling any motor vehicle fuel to the public from any place of business shall display on the premises an advertising medium that complies with the requirements of this article and that advertises the total prices of the three major grades of motor vehicle fuel offered for sale.

(2) The advertising medium shall be clearly visible from the street or highway adjacent to the premises. When the place of business is situated at an intersection, the advertising medium shall be clearly visible from each street of the intersection.

(3) For purposes of this subdivision, motor vehicle fuel does not include propane.

(4) For purposes of this subdivision, electricity and natural gas sold as a motor vehicle fuel shall meet only the requirements adopted pursuant to Sections 13404 and 13404.5.

(b) The governing body of any city, county, or city and county may, by ordinance, exempt specified geographic areas from the provisions of this section if, pursuant to Article 5 (commencing with Section 65300) of Chapter 3 of Title 7 of the Government Code, the areas are designated on the local general plan as scenic corridors or historic preservation areas.

- (c) (1) Except as provided in paragraph (2), any person who violates the provisions of subdivision (a) is guilty of an infraction and, upon conviction, is punishable by a fine not to exceed five hundred dollars (\$500).
- (2) Any person who violates the provisions of subdivision (a) and who has been previously convicted two or more times of a violation of subdivision (a) is guilty of a misdemeanor and, upon conviction, is punishable by imprisonment in the county jail not exceeding six months, by a fine not exceeding one thousand dollars (\$1,000), or by both.
- (d) Notwithstanding Section 13590, the district attorney of each county, or pursuant to Section 41803.5 of the Government Code, the city attorney of any general law city or chartered city within each county, or the county sealer, shall, upon complaint or upon his or her own motion, enforce the provisions of this section and, in addition, may bring an action for injunctive relief in accordance with Section 13611.

*Added Stats. 1984 ch 698 § 6; Amended Stats. 2015 ch 591 § 40.*

**§ 13532. MOTOR VEHICLE FUEL: CONTENTS OF DISPLAY**

- (a) It is unlawful for any person to display any advertising medium that indicates the price of motor vehicle fuel unless the advertising medium displays all of the following:
- (1) The total price per gallon, liter, or other unit of measurement adopted pursuant to Section 12107, 13404, or 13404.5, including all taxes, in numerals, and fractions when applicable, not less than six inches in height and of uniform size and color. For purposes of this article, fractions are considered one numeral. For purposes of this section, electricity sold as a motor vehicle fuel shall meet only the requirements adopted pursuant to Section 13404.5.
  - (2) The trademark or brand of the motor vehicle fuel in letters, figures, or numerals not less than one-third the size of the numerals designating the price.
  - (3) The word “gasoline” or the name of other motor vehicle fuel in letters not less than one-third the size of the numerals designating the price, but these words need not be more than four inches in height.
  - (4) The grade designation of the motor vehicle fuel in letters or numerals not less than one-sixth the size of the numerals designating the price, but this designation need not be more than four inches in height.
  - (5) If motor vehicle fuel prices are advertised by the unit of measurement other than gallon, the unit shall be displayed on the advertising medium in letters not less than one-third the size of the numerals designating the price.
- (b) (1) It is unlawful for any person to display an advertising medium that advertises a discount or price reduction for motor vehicle fuel, unless the advertising medium contains all the following:
- (A) The total price per gallon, liter, or other unit of measurement adopted pursuant to Section 12107, 13404, or 13404.5 from which the discount or price reduction is to be taken.

- (B) The amount of the discount or price reduction in cents per gallon, liter, or other unit of measurement using numerals that do not exceed the height of the numerals in the advertised price.
- (C) The conditions of the discount or price reduction using words whose letters are not less than one-third the size of the price numerals.
- (2) Any limitations under which the discount or price reduction is offered shall be explained in words whose letters are not less than one-third the size of the numerals indicating the prices.
- (3) There shall be available for each customer's reference, a chart showing the amount of discount for each type of unit being sold or fraction thereof in one cent (\$0.01) increments, or the retail dispensers used to dispense motor vehicle fuel at the discount price shall be set to compute the total sale at the discounted price per gallon or liter and shall be clearly labeled "Includes Cash Discount" in letters not less than one inch in height.
- (4) For purposes of this subdivision, the motor vehicle fuel shall be sold in the same unit of measure in which the discount and the price from which the discount is taken are advertised.

(c) In the event that the same grade of motor vehicle fuel is sold at different prices from any single place of business, it is unlawful for any person to display any advertising medium that advertises a price of a grade of motor vehicle fuel unless the advertising medium advertises in numerals of equal size each of the higher prices, including all taxes for which the grade is sold or offered for sale, and unless the advertising medium explains the conditions, and any limitations, under which that grade is sold or offered for sale at different prices. The words of explanation shall be clearly shown in letters at least one-third the size of the numerals indicating the prices. The different prices at which the same grade of motor vehicle fuel is sold or offered for sale shall be advertised in the same unit of measure as permitted or required by law.

(d) Nothing in this section prohibits any person who has posted or displayed a sign or advertising medium in compliance with this chapter from displaying additional signs or advertising media that state either (1) the amount of discount in cents per gallon, liter, or other unit of measurement adopted pursuant to Section 12107, 13404, or 13404.5, or (2) the total price of one or more brands or grades of motor vehicle fuel sold or offered for sale, provided the conditions and any limitations of the discount or price of the brand or grade of motor vehicle fuel are included in the additional advertising media in letters not less than one-third the size of the numerals indicating the discount or price.

*Added Stats. 1984 ch 698; Amended Stats. 1985 ch 345 § 5; Amended Stats. 1988 ch 590 § 8; Amended Stats. 2015 ch 591 § 41; Amended Stats. 2016 ch 208 § 1.*

### **§ 13533. MOTOR OIL: CONTENTS OF DISPLAY**

It shall be unlawful for any person to display on or near the premises of any place of business in this state any advertising medium which advertises the price of motor oil

offered for sale without conspicuously showing on the same advertising medium the brand of the motor oil and the name of the product. The letters, figures and numerals used to designate the brand and the name of the product shall not be less than one-half the size of the numerals designating the price.

*Added Stats. 1984 ch 698 § 6.*

#### **§ 13534. ADDITIONAL ADVERTISING MATTER**

(a) Except as provided by subdivision (b), and subdivisions (b), (c), and (d) of Section 13532, it is unlawful for any person to place any additional advertising matter on any advertising medium referred to in this article except:

- (1) A description of the products offered for sale in letters or numerals not larger than the price numerals.
- (2) Methods of sale, such as self-serve or full-serve, in letters not less than one-third the size of the price numerals.
- (3) Words describing the type of services offered at the place of business, such as food market, car wash, tune-up, and the registered trademark or trade name of the service, but not the price of the service.

(b) Subdivision (a) does not apply to electronic changeable message centers when the advertising content includes both the product offered for sale and its price in a single advertising message, or when the product and price components of the advertising message clearly relate to one another and the price neither starts nor ends the message.

*Added Stats. 1984 ch 698; Amended Stats. 1985 ch 345 § 6; Repealed and Added Stats. 1988 ch 590 §§ 9 and 10; Amended Stats. 2004 ch 72 § 1.*

#### **§ 13535. MOTOR VEHICLE FUEL OR LUBRICANT WITH NO BRAND DESIGNATION**

If any motor vehicle fuel or lubricant is advertised for sale, but not under any brand designation, the words "no brand" shall be used on the advertising medium as a brand designation.

*Added Stats. 1984 ch 698 § 6; Amended Stats. 2015 ch 591 § 42.*

(Rev. 1/17)

#### **§ 13536. LEGIBILITY**

All letters, words, figures, or numerals which are part of the advertising media referred to in this article shall have a heavy type face or stroke, shall be clearly visible, and of a color or tint that will contrast the letters, words, figures, or numerals with the background of the advertising media. The height of the letters, figures, and numerals, except the letter "1" and numeral one, shall not be more than twice the width.

*Added Stats. 1984 ch 698 § 7.*

**§ 13537. PLACEMENT OF ADVERTISING MEDIA [REPEALED]**

*Added Stats. 1984 ch 698; Repealed Stats. 1986 ch 201.*

**§ 13538. ADVERTISING OF OTHER GOODS [REPEALED]**

*Added Stats. 1984 ch 698; Repealed Stats. 1986 ch 201.*

**§ 13539. ADVERTISING OF PRODUCT NOT SOLD ON PREMISES [REPEALED]**

*Added Stats. 1984 ch 698; Repealed Stats. 1986 ch 201.*

**§ 13540. LOCAL REGULATION**

Nothing in this article shall be construed to prohibit the governing body of any city, county, or city and county from enacting ordinances, including, but not limited to, land use and zoning ordinances, which impose restrictions on the advertising medium referred to in this article, so long as any provisions of the ordinances dealing with matters specifically covered in this article are identical to this article.

*Added Stats. 1984 ch 636 § 6.*

## **ARTICLE 13. - INDUCEMENTS FOR THE SALE OF MOTOR VEHICLE FUEL - § 13550.**

**[Added by Stats. 1974 ch 519 § 1.]**

**Renumbered Stats. 1980 ch 636.**

**[Amended Stats. 2015 ch 519 §43]**

### **§ 13550. PARTICIPATION IN GIVEAWAY PROGRAMS BY MOTOR VEHICLE FUEL PRODUCERS NOT TO BE MADE COMPULSORY**

No motor vehicle fuel producer or distributor shall compel or unduly or unreasonably influence any retail dealer to participate in the giveaway or offer to give away free of charge any item of value, including trading stamps or any kind of merchandise or goods, whether or not the giveaway is conditional upon the purchase of motor vehicle fuels or lubricants. The decision to participate in those giveaways shall be solely that of the retail dealer. Nothing in this section shall prohibit a retail dealer from entering into an agreement to participate in any giveaway program.

*Added Stats. 1974 ch 519 § 1; Renumbered Stats. 1980 ch 636 § 5; Amended Stats. 2015 ch 519 § 44.*

## **ARTICLE 14. - PASSING OFF - §§ 13560. – 13571.**

**Renumbered Stats. 1980 ch 636.**

### **§ 13560. FALSE REPRESENTATION AS TO MANUFACTURER, REFINER, PRODUCER, IMPORTER, BRAND OR TRADE NAME, OR SAE NUMBER CLASSIFICATION OF PRODUCT [REPEALED]**

*Added Stats. 1963 ch 2005 § 2; Amended Stats. 1975 ch 547 § 21; Renumbered Stats. 1980 ch 636 § 5; Repealed Stats. 1986 ch 201.*

### **§ 13561. RIGHT TO SELL PRODUCT OF MANUFACTURER UNDER SELLER'S OWN TRADEMARKS, ETC., OR WORDS "NO BRAND", ON AUTHORIZATION THEREFORE**

This article does not prohibit any person from selling under his own trademarks, trade names, brands, or the words "no brand", the product of any manufacturer if such person has first obtained the written authorization of the true manufacturer so to sell such product.

*Added Stats. 1965 ch 1394 § 1; Renumbered Stats. 1980 ch 636 § 5.*

### **§ 13562. CHANGE OF DESIGNATION UNDER WHICH PRODUCT PURCHASED: AUTHORIZATION**

No person other than the true manufacturer who purchases any petroleum product shall change the designation under which the product is purchased by him, without a written authorization.

*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636 § 5.*

### **§ 13563. WRITTEN AUTHORIZATIONS: WHEN REQUIRED [REPEALED]**

*Added Stats. 1965 ch 1394 § 2; Renumbered Stats. 1980 ch 636 § 5; Repealed Stats. 1986 ch 201.*

### **§ 13564. WRITTEN AUTHORIZATIONS: CONTENTS [REPEALED]**

*Added Stats. 1963 ch 2005 § 2; Amended Stats. 1965 ch 1394 § 3; Renumbered Stats. 1980 ch 636 § 5; Repealed Stats. 1986 ch 201.*

### **§ 13565. FORM OF AUTHORIZATIONS: ADDITIONAL INFORMATION THEREIN [REPEALED]**

*Added Stats. 1965 ch 1394 § 4; Renumbered Stats. 1980 ch 636 § 5; Repealed Stats. 1986 ch 201.*

### **§ 13566. WRITTEN AUTHORIZATIONS: PLACE OF KEEPING [REPEALED]**



*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636 § 5; Repealed Stats. 1986 ch 201.*

**§ 13567. WRITTEN AUTHORIZATIONS: AVAILABILITY FOR INSPECTION  
[REPEALED]**

*Added Stats. 1965 ch 1394 § 5; Renumbered Stats. 1980 ch 636 § 5; Repealed Stats. 1986 ch 201.*

**§ 13568. WRITTEN AUTHORIZATIONS: FURNISHING COPIES**

Copies of the written authorizations required by this article shall be furnished the department upon request.

*Added Stats. 1965 ch 1394 § 6; Renumbered Stats. 1980 ch 636 § 5.*

**§ 13569. FORGERY OR FALSIFICATION [REPEALED]**

*Added Stats. 1965 ch 1394 § 7; Renumbered Stats. 1980 ch 636 § 5; Repealed Stats. 1986 ch 201.*

**§ 13570. PERCENTAGE OF ALCOHOL TO BE STATED ON NORMAL  
BUSINESS RECORDS**

(a) A manufacturer, blender, agent, jobber, consignment agent, or distributor who distributes motor vehicle fuel that contain at least 1 percent alcohol by volume, shall state on an invoice, bill of lading, shipping paper, or other documentation used in normal and customary business practices, the percentage of alcohol, the type of alcohol, and, except in documentation certifying the octane rating of gasoline as required by federal law, the minimum antiknock index number, as defined in Section 13403, of the products distributed.

(b) If a motor vehicle fuel product contains less than 10 percent ethanol, a statement in the documentation that the product “contains up to 10% ethanol” meets the requirement of subdivision (a) that it state the percentage of ethanol.

(c) This section, as it relates to certification of the minimum antiknock index number, applies to all motor vehicle gasoline distributed.

*Added Stats. 1983 ch 1012 § 4; Amended Stats. 1984 ch 698; Amended Stats. 1985 ch 167 § 10; Amended Stats. 2003 ch 63 § 1; Amended Stats. 2015 ch 519 § 45; Amended Stats. 2016 ch 208 § 2.*

**§ 13571. INSPECTION OF DOCUMENTATION**

Copies of the documentation specified in Section 13570 shall be available for inspection during business hours by duly authorized representatives of the department.

*Added Stats. 1983 ch 1012 § 5.*

## ARTICLE 15. – ADULTERATION [REPEALED]

Renumbered Stats. 1980 ch 636  
[Repealed Stats. 1986 ch 201]

## ARTICLE 16 – ENFORCEMENT - §§ 13590. – 13600.

Renumbered Stats. 1980 ch 636

### § 13590. DEPARTMENT’S DUTY: APPOINTMENT OF INSPECTORS

It is the duty of the department acting through the Division of Measurement Standards to enforce the provisions of this chapter, and to appoint and employ inspectors as may necessary.

*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636 § 5; Amended Stats. 2015 ch 519 § 46.*

### § 13591. AUTHORITY OF DEPARTMENT, ETC., TO INSPECT

(a) The department, its inspectors, and each sealer, are hereby authorized and empowered to inspect the motor vehicle fuels or lubricants referred to in this chapter and to enter, for the purpose of the inspection, any place where motor vehicle fuels or lubricants are kept or stored for sale.

(b) All those officers shall enforce the provisions of this chapter.

*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636 § 5; Amended Stats. 2015 ch 519 § 47.*

### § 13592. SAMPLING OF PRODUCTS AUTHORIZED

The department, each sealer, and any person now or hereafter authorized or empowered by law to inspect the -motor vehicle fuels or lubricants referred to in this chapter, may take such sample or samples as may be necessary of any motor vehicle fuel or lubricant kept or stored for the purpose of sale.

*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636 § 5; Amended Stats. 2015 ch 519 §48.*

### § 13593. REFUSAL TO PERMIT SAMPLING

It is unlawful for any person, or any member, officer, agent or employee of a firm, association or corporation, to refuse to permit any person authorized by this article to take such sample or samples permitted by this chapter, or to prevent or to attempt to prevent the taking of such sample or samples.

*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636 § 5.*

**§ 13594. PAYMENT FOR SAMPLES**

If the owner or person in possession of the product of which a sample is taken under this article shall at the time of the taking, demand payment for the commodity taken, then the person taking the sample shall pay therefore the reasonable market price.

*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636 § 5.*

**§ 13595. SEALING UNLABELED OR MISLABELED RECEPTACLES, ETC.:  
POSTING NOTICE**

(a) It is unlawful for any person to sell or deliver any motor vehicle fuel or lubricant referred to in this chapter that fails to meet the specifications required by this chapter.

(b) It is unlawful for any person to sell or deliver any motor vehicle fuel or lubricant referred to in this chapter into, from, or through an unlabeled or mislabeled container or device.

(c) (1) The department, each county sealer, deputy county sealer, and inspector may close and seal outlets and inlets of any receptacles, containers, pumps, dispensers, or storage tanks connected to the outlets and inlets, containing any motor vehicle fuel or lubricant referred to in this chapter that fails to meet the requirements of this chapter.

(2) The person so sealing shall post in a conspicuous place on the premises, where a receptacle, container, pump, dispenser, or storage tank connected to the outlets and inlets has been sealed, a notice stating that the action of sealing has been taken in accordance with this chapter, and giving warning that it is unlawful to break, mutilate, or destroy the seal or seals of the outlets and inlets, to move the container, or to remove the contents from the container, under the penalty provided in this division.

(d) If a container or lot of containers of any commodity subject to this chapter is found to contain a commodity not in conformity with this chapter, the secretary or sealer representing the secretary may take a sample or samples reasonably necessary for enforcement purposes and may, in writing, order the containers off sale. Any lot or container ordered off sale pursuant to this section shall be subject to a disposal order by the enforcing officer and shall not be sold, offered for sale, or transported, except in accordance with that disposal order.

Any action pursuant to this section shall not affect any rights of a retailer under a warranty of merchantability or warranty of fitness.

*Added Stats. 1963 ch 2005 § 2; Amended Stats. 1971 ch 468 § 5; Repealed and added Stats. 1985 ch 167 §§ 11 and 12; Amended Stats. 2015 ch 519 § 49.*

**§ 13596. BREAKING SEAL FOR PURPOSE OF PERMITTING REMOVAL OF  
CONTENTS OR PROPER LABELING OF CONTAINER, ETC.**

Upon at least 24 hours' written notice from the owner, manager or operator of the

container, receptacle, pump or storage tank which has been sealed, to the department or to the sealer of the county in which the premises are situated stating that the contents of such container, receptacle, pump or storage tank will be removed or that such container, receptacle, pump, or storage tank or inlet end of the fill pipe thereof will be properly labeled as in this chapter provided, at a specified time, between the hours of 9 a.m. and 4 p.m. of a day specified in the notice, other than a holiday, such officer shall, at the time specified, break the seal or seals for the purpose of permitting the removal by such manager, owner or operator, of the contents of such container, receptacle, pump or storage tank connected thereto, or the use thereof after proper labeling.

The removal of contents or proper labeling of the container, receptacle, pump, storage tank or inlet end of the fill pipe thereof, as the case may be, shall be made at the time specified and in the presence of the officer removing the seal.

*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636 § 5.*

#### **§ 13597. RESEALING ON FAILURE TO MAKE CORRECTION**

If for any reason at the time specified in the written notice the contents are not removed, or the container, receptacle, pump, storage tank or inlet end of the fill pipe thereof, is not properly labeled, then the container, receptacle, pump or storage tank connected thereto and the inlet end of the fill pipe of such storage tank, shall be again sealed as hereinbefore provided in this article and the contents may not thereafter be removed or the container, receptacle, pump or storage tank connected thereto or inlet end of the fill pipe thereof be again used, except upon the giving of a new notice and proper labeling.

*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636 § 5.*

#### **§ 13598. REMOVAL OF NOTICE AND RESTORATION TO LAWFUL USE**

Upon removal of the contents or proper labeling as provided in this article, the notice previously posted shall be removed and the container, receptacle, pump or storage tank may be restored to lawful use.

*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636 § 5.*

#### **§ 13599. PREREQUISITES TO RELABELING**

No container, receptacle, pump or storage tank connected thereto, or the inlet end of the fill pipe of such storage tank, shall, however, be relabeled by the owner, manager or operator, whether under the provisions of this article or otherwise, without first removing from such container, receptacle, pump or storage tank connected thereto, or the inlet end of the fill pipe thereof, all distinctive colors, brands, trademarks or trade names thereon of any manufacturer, refiner, producer, distributor or marketer, indicative of any product not actually contained therein and sold therefrom.

*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636 § 5.*

**§ 13600. UNAUTHORIZED BREAKING, ETC., OF SEALS**

It is unlawful for any person, or any member, officer, agent, or employee of a firm, association, or corporation, other than the department or any of the officers mentioned in this article, to break, mutilate, or destroy any seal or seals placed upon a container, receptacle, pump, or storage tank connected thereto, or any other storage tank containing a motor vehicle fuel or lubricant, when placed thereon as provided by this article, or to move a container so sealed, or remove the contents therefrom, or to cover, deface, or remove the notice of sealing required by this article.

*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636 § 5; Amended Stats. 2015 ch 519 § 50.*

**ARTICLE 17. – PENALTIES - §§ 13610. – 13611.**

**§ 13610. SEPARATE OFFENSES**

Each person is guilty of a separate offense for each day during any portion of which any violation of this division is committed, continued, or permitted by the person, and the person shall be punishable therefore as provided in this division.

*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636 § 5; Amended Stats. 1988 ch 590 § 11.*

**§ 13611. INJUNCTION PROCEEDINGS: VENUE**

The department or any sealer may bring an action to enjoin the violation or the threatened violation of any provision of this chapter or of any regulation made pertaining to the provisions of said chapter. Said action may be brought in the county in which such violation occurs or is about to occur. There may be enjoined in one proceeding any number of defendants alleged to be violating the same provisions or regulations, although their properties, interests, residences or places of business may be in several counties and the violations separate and distinct. Any proceeding brought hereunder shall be governed in all other respects by the provisions of Chapter 3, Title 7 of Part 2 of the Code of Civil Procedure [commencing with § 525].

*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636 § 5.*

## **ARTICLE 18. - DISPOSITION AND USE OF MONEYS - § 13620.**

### **§ 13620. EXPENDITURE OF REVENUE**

Any moneys in the Department of Food and Agriculture Fund derived under Chapters 14 (commencing with Section 13400) and 15 (commencing with Section 13700) may be expended for the administration and enforcement of any or all of the provisions of those chapters, notwithstanding any other provision of law limiting the expenditure of any of those moneys to the specific purposes or to the administration or enforcement of each of the chapters separately.

*Added Stats. 1963 ch 2005 § 2; Renumbered Stats. 1980 ch 636 § 5; Amended Stats. 1984 ch 698 § 8.*

## **ARTICLE 19 - FUEL DELIVERY TEMPERATURE STUDY [REPEALED]**

**Added Stats. 2007 Ch 398 § 1.  
[Repealed Stats. 2016 Ch 208 § 3.]**