

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 200

Agriculture/Environment/Natural Resources Committee Substitute Adopted 2/22/95

House Committee Substitute Favorable 6/27/95

Short Title: Amend Reprocessed Oil Regulation.

(Public)

Sponsors:

Referred to:

February 15, 1995

A BILL TO BE ENTITLED

AN ACT TO AMEND ARTICLE 2 OF CHAPTER 119 OF THE GENERAL STATUTES REGARDING THE REGULATION OF REREFINED OR REPROCESSED OIL.

The General Assembly of North Carolina enacts:

Section 1. G.S. 119-13.1 reads as rewritten:

"§ 119-13.1. Definitions.

As used in this Article:

(1) 'Lubricating oil' means any oil classified for the use in an internal combustion engine, hydraulic system, gear box, differential, or wheel bearings.

~~(1a) 'Rerefined or reprocessed oil' means lubricating oil for use in internal combustion engines, which has been rerefined or processed in whole or part from previously used lubricating oils.~~ used oil that is refined to remove the physical and chemical contaminants acquired through use and that, by itself or when blended with new lubricating oil or additives, meets applicable American Petroleum Institute (A.P.I.) service classifications.

1 (1b) 'Recycled oil' means any oil prepared from used oil for energy recovery
2 or reuse as a petroleum product by reclaiming, reprocessing, rerefining,
3 or other means that use properly treated used oil as a substitute for
4 petroleum products.

5 (2) 'Specifications' means the minimum chemical properties or analysis as
6 determined by the American Society for Testing Materials (A.S.T.M.)
7 test methods using current ASTM analytical procedures.

8 (3) 'Used oil' means any oil that has been refined from crude or synthetic oil
9 and, as a result of use, storage, or handling becomes unsuitable for its
10 original purpose due to the loss of its original properties or the presence
11 of impurities, but that may be rerefined for further use."

12 Sec. 2. G.S. 119-13.2 reads as rewritten:

13 **"§ 119-13.2. Labels required on sealed containers; oil to meet minimum**
14 **specifications.**

15 (a) It shall be unlawful to offer for sale or sell or deliver in this State ~~rerefined or~~
16 ~~reprocessed oil, previously used oil that has not been rerefined or recycled oil that has not~~
17 ~~been rerefined, as hereinbefore defined, defined in G.S. 119-13.1, in a sealed container~~
18 unless this container be labeled or bear a label on which shall be expressed the brand or
19 trade name of the oil and the words 'made from previously used lubricating oil'; the name
20 and address of the person, firm, or corporation ~~who~~that has rerefined or reprocessed said
21 oil or placed it in the container; the Society of Automotive Engineers (S.A.E.) viscosity
22 ~~number, grade;~~ the net contents of the container expressed in U.S. liquid measure of
23 quarts, gallons, or pints; which label has been registered and approved by the Gasoline
24 and Oil Inspection Division of the Department of Agriculture; and that the oil in each
25 container shall meet the minimum specifications. The Gasoline and Oil Inspection Board
26 shall adopt minimum quality specifications, the measurement of which shall be
27 accomplished using current A.S.T.M. analytical procedures.

28 (b) A person may represent a product made in whole or in part from rerefined oil
29 to be substantially equivalent to a product made from virgin oil for a particular end use if
30 the product conforms with the applicable American Petroleum Institute (A.P.I.) service
31 classifications."

32 Sec. 3. G.S. 119-13.3 reads as rewritten:

33 **"§ 119-13.3. Violation a misdemeanor.**

34 Any person, firm, or corporation violating any of the provisions of this Article shall
35 for each offense be guilty of a Class 1 ~~misdemeanor, misdemeanor.~~ For a second or
36 subsequent offense, the person shall also be enjoined from selling or distributing
37 previously used oil for not less than one year nor more than five years."

38 Sec. 4. This act becomes effective October 1, 1995, and applies to violations
39 occurring on or after that date.