



States' Biofuels Statutes

STATE OF NEW HAMPSHIRE

This project was undertaken in partnership with the USDA Office of the Chief Economist, The Office of Energy Policy and New Uses. For information on the full project, visit [States' Biofuels Statutory Citations](#).

Current through the 2013 Legislative Session of the New Hampshire General Assembly.

260:52-f Biodiesel Not Meeting ASTM Fuel Quality Standards Not to be Sold in the State.

I. A person shall not sell or deliver biodiesel or biodiesel blend in this state that does not meet the ASTM standard as defined in RSA 259:6-a.

II. A person who violates paragraph I of this section commits a violation and shall, upon conviction, be sentenced to pay a fine of not less than \$100 nor more than \$500.

III. In addition to any fine provided in paragraph II, a person who violates paragraph I shall be assessed a penalty of \$1,000 or \$10 per gallon of biodiesel or biodiesel blends involved in the sale or delivery, whichever is greater.

IV. Upon conviction, a person who violates paragraph I of this section shall be ordered by the court to pay the costs associated with testing to determine ASTM standard as defined by RSA 259:6-a.

V. Any person authorized by the department may enter any place where fuels are produced or stored, and may physically inspect any tank, reservoir, or other container that can be used for the production, storage, or transportation of biodiesel or biodiesel blends. Inspection may also be made of any equipment used for or in connection with the production, storage, or transportation of biodiesel or biodiesel blends. A person authorized by the department may detain a vehicle, vessel, or railroad tank car placed on a customer's siding for use or storage for the purpose of inspecting fuel tanks or fuel storage tanks as necessary to determine the amount and composition of the fuel. A person authorized by the department may take and remove samples of biodiesel, either pure or blended with petroleum diesel, in reasonable quantities necessary to determine the composition of the fuel.

VI. A person who refuses to allow an inspection authorized by this section commits a violation and shall, upon conviction, be sentenced to pay a fine of \$1,000 for each refusal.