



## States' Biofuels Statutes

### STATE OF RHODE ISLAND

*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 Rhode Island General Assembly.*

#### **§ 31-36-1. Definitions**

Terms in this chapter and chapter 37 of this title are construed as follows:

- (1) "Administrator" means the tax administrator.
- (2) "Distributor" includes any person, association of persons, firm, or corporation, wherever resident or located, who shall import or cause to be imported into this state, for use or for sale, fuels, and also any person, association of persons, firm or corporation who shall produce, refine, manufacture, or compound fuels within this state.
- (3) "Filling station" includes any place, location, or station where fuels are offered for sale at retail.
- (4) "Fuels" includes gasoline, benzol, naphtha, and other volatile and inflammable liquids (other than lubricating oils, diesel fuel for the propulsion of marine craft, fuels used for the propulsion of airplanes, oils used for heating purposes, manufactured biodiesel fuel as defined in subdivision (14) of this section), used or suitable for use for operating or propelling motor vehicles with internal combustion engines. This does not include benzol and naphtha sold or used for a purpose other than for the operation or propulsion of motor vehicles. Any article or product represented as gasoline for use in internal combustion type engines, used in motor vehicles, shall be equal to or better in quality and specification than that known as "United States government motor gasoline."
- (5) "Investigator and examiner" means any person appointed by the tax administrator to act as an investigator and examiner.
- (6) "Owner" includes any person, association of persons, firm, or corporation offering fuels for sale at retail.
- (7) "Peddlers" means any person, association of persons, firm or corporation, except a distributor as defined in this chapter, who shall distribute gasoline by tank wagon in this state.

(8) “Public highways” includes any state or other highway and any public street, avenue, alley, park, parkway, driveway, or public place in any city or town.

(9) “Pump” includes any apparatus or machine for raising, driving, exhausting, or compressing fluids, and used in the sale and distribution of fuels.

(10) “Purchaser” includes any person, association of persons, firm, or corporation, wherever resident or located, who purchases fuels from a distributor, for use or resale, and any person, association of persons, firm or corporation who purchases from a distributor, gasoline or other volatile and inflammable liquids (other than lubricating oils and oils used for heating purposes) for use other than for propelling motor vehicles.

(11) “Retail dealer” means any person, association of persons, firm, or corporation operating a filling station as herein defined in this chapter for the sale or dispensing of motor fuel by delivery into service tank or tanks of any highway motor vehicle which is propelled by an internal combustion motor, other than the highway motor vehicle belonging to the person owning or operating the place of business; provided, however, that sales by a manufacturer or distributor shall not constitute them retail dealers.

(12) “State highways” includes only those public highways or those parts of them that shall be constructed or maintained by the department of transportation.

(13) “United States government motor gasoline” means that gasoline which is or may be prescribed by the federal specification board of the United States government for use as a fuel for motor vehicle, motor boat, and similar engines.

(14) “Manufactured biodiesel fuel” means: (i) Mono-alkyl esters of long chain fatty acids derived from vegetable oils or animal fats which conform to ASTM D6751 specifications for use in diesel engines; (ii) That results in employment at a fixed location at a manufacturing facility for biodiesel fuel; and (iii) Any volume of biodiesel fuel that is subsequently blended with other fuels and is used for heating purposes or for operating or propelling motor vehicles notwithstanding the portion of biodiesel blended into any fuel, only the biodiesel portion of the fuel shall be exempt from taxation under chapter 31-36.

**Credits** P.L. 1925, ch. 679, § 1; P.L. 1929, ch. 1405, § 1; P.L. 1937, ch. 2509, § 1; P.L. 1937, ch. 2510, §§ 1, 2; P.L. 1939, ch. 659, § 2; P.L. 1939, ch. 660, § 70; P.L. 1939, ch. 746, § 1; P.L. 1940, ch. 822, § 1; P.L. 1950, ch. 2547, § 1; P.L. 1955, ch. 3583, § 1; [P.L. 1996, ch. 147, § 1](#); [P.L. 1996, ch. 205, § 1](#); [P.L. 1997, ch. 168, § 2](#); [P.L. 2004, ch. 484, § 1](#); [P.L. 2007, ch. 348, § 1](#), eff. July 6, 2007; [P.L. 2007, ch. 429, § 1](#), eff. July 6, 2007; [P.L. 2008, ch. 98, § 24](#), eff. June 26, 2008; [P.L. 2008, ch. 145, § 24](#), eff. July 1, 2008; [P.L. 2009, ch. 129, § 1](#); [P.L. 2009, ch. 168, § 1](#).