

*News from*  
**Senator Claire  
McCaskill**

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## **McCaskill Reintroduces Hot Fuel Legislation**

*Bill aims to save Missourians money at the gas  
pump*

**WASHINGTON, D.C.** – As gas prices rise amid the summer travel season, U.S. Senator Claire McCaskill today reintroduced legislation that will help protect consumers at the gas pump during the heat of Missouri summers. Currently, retailers measure gas at 60 degrees Fahrenheit, but when gas expands in warmer months, consumers get less gas for their money, costing Americans an estimated \$2.57 billion annually.

McCaskill is continuing to work to address the problem with the *FAIR (Future Accountability In Retail) Fuel Act of 2009* legislation requiring the installation of automatic temperature compensating equipment in all retail gas station pumps to adjust the price of gas as it expands due to warmer temperatures.

She was inspired by a 2006 three-part series in the *Kansas City Star* exposing the problem, which prompted her to make a campaign promise to pursue a solution in Congress once elected. McCaskill originally introduced the legislation in 2007.

In addition to requiring all retail gas stations to install the new temperature compensating technology within 6 years, the *FAIR Fuel Act* would offer assistance for retailers to comply, and impose penalties for those who fail to ensure consumers are receiving the gas for which they have paid.

A similar policy was implemented in Canada fifteen years ago because retailers were losing money due to the cold temperature of the fuel they were selling. The idea is gaining some traction in the United States as well. Earlier this year, the U.S. retailer Costco Warehouse, LLC agreed to install temperature compensating equipment as a result of a legal settlement.

The *FAIR Fuel Act* has received praise as common-sense consumer protection legislation. Groups such as Owner-Operator Independent Drivers Association, Consumer Watchdog, and U.S. Public Interest Research Groups (USPIRG) have endorsed the legislation.

**FAIR Fuel Amendment:**

- Requires installation of automatic temperature sensing equipment in all retail gasoline pumps within 6 years of the enactment of the legislation.
- Gives authority to the FTC, in conjunction with NIST, to implement the requirement with a final rule to be promulgated no later than one year after the enactment of the legislation.
- Establishes a grant fund for retailers who own or operate five or fewer retail fuel establishments and want assistance to pay for the new equipment. A retailer can receive \$1000 per pump, but no more than \$10,000 per retailer.
- Does not preempt individual states from regulating the sale of “hot gas” so long as the state standard is equivalent to the federal regulation.
- Includes certain exemptions for rural retail gasoline establishments.

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