

VIRGINIA ACTS OF ASSEMBLY -- 2000 SESSION

CHAPTER 943

An Act to amend the Code of Virginia by adding a section numbered 59.1-162.1, relating to direct fueling of commercial vehicles.

[S 582]

Approved April 9, 2000

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 59.1-162.1 as follows:

§ 59.1-162.1. Direct fueling of commercial vehicles authorized; conditions.

Notwithstanding any other provision of law, the dispensing of diesel fuel from a tank vehicle into the fuel tank of any highway vehicle on the premises of a commercial, industrial, governmental or manufacturing establishment is permitted, provided the following conditions are met:

- 1. The highway vehicle is used in connection with the business or function of the establishment;*
- 2. The owner or operator of the tank vehicle complies with all requirements pertaining to the collection and payment of taxes on diesel fuel pursuant to Title 58.1 and fees pursuant to Title 62.1;*
- 3. The owner or operator of the tank vehicle complies with all requirements pertaining to Chapter 35 (§ 3.1-919 et seq.) of Title 3.1;*
- 4. Each delivery shall be metered and recorded and the customer shall be provided an invoice or delivery ticket plainly indicating the quantity of fuel dispensed, the price per gallon, the amount of tax and the total price of the fuel dispensed;*
- 5. The tank vehicle is designed, equipped and operated to prevent spills during fueling operations and to minimize spillage in the event of operator error or equipment malfunction;*
- 6. The owner of the tank vehicle has established and maintains in place a contingency plan for the cleanup of spills occurring during fueling operations, and the operator has been trained in the prevention of spills, and containment of spills should they occur, and in compliance with such spill plan; and*
- 7. The owner is licensed in Virginia as a distributor.*

2. That the provisions of this act shall become effective January 1, 2001.