

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 1084

Short Title: Amend Reprocessed Oil Regulation.

(Public)

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Sponsors: Senator Hobbs.

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Referred to: Commerce

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May 4, 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.) and Society of Automotive Engineers (S.A.E.) service classifications.

(1b) 'Recycled oil' means any oil prepared from used oil for energy recovery or reuse as a petroleum product by reclaiming, reprocessing, rerefining,

1           or other means that use properly treated used oil as a substitute for  
2           petroleum products.

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

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

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

11        "**§ 119-13.2. Labels required on sealed containers; oil to meet minimum**  
12        **specifications.**

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

26        (b) A person may represent a product made in whole or in part from rerefined oil  
27        to be substantially equivalent to a product made from virgin oil for a particular end use if  
28        the product conforms with the applicable American Petroleum Institute (A.P.I.) and  
29        Society of Automotive Engineers (S.A.E.) service classifications."

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

31        "**§ 119-13.3. Violation a misdemeanor.**

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

36          Sec. 4. This act becomes effective October 1, 1995.