1978, 92 Stat. 3208, as amended. Part 1 of title II of the National Energy Conservation Policy Act was classified generally to part A (§6221 et seq.) of subchapter II of chapter 91 of this title, and was omitted from the Code pursuant to section 8229 of this title which terminated authority under that part June 30, 1989. For complete classification of this Act to the Code, see Short Title note set out under section 8201 of this title and Tables.

**Effective Date**


**CHAPTER 93—EMERGENCY ENERGY CONSERVATION**

### § 8501. Congressional findings and purposes

(a) Findings

The Congress finds that—

1. serious disruptions have recently occurred in the gasoline and diesel fuel markets of the United States; and
2. it is likely that such disruptions will recur;
3. interstate commerce is significantly affected by those market disruptions;
4. an urgent need exists to provide for emergency conservation and other measures with respect to gasoline, diesel fuel, home heating oil, and other energy sources in potentially short supply in order to cope with market disruptions and protect interstate commerce; and
5. up-to-date and reliable information concerning the supply and demand of gasoline, diesel fuel, and other related data is not available to the President, the Congress, or the public.

(b) Purposes

The purposes of this chapter are to—

1. provide a means for the Federal Government, States, and units of local government to establish emergency conservation measures with respect to gasoline, diesel fuel, home heating oil, and other energy sources which may be in short supply;
2. establish other emergency measures to alleviate disruptions in gasoline and diesel fuel markets;
3. obtain data concerning such fuels; and
4. protect interstate commerce.

(Pub. L. 96–102, title II, §201, Nov. 5, 1979, 93 Stat. 757.)

**Effective Date**

Section 302 of Pub. L. 96–102 provided that: “The amendments made by this Act [enacting this chapter, amending sections 6262, 6263, and 6422 of this title, and enacting provisions set out as notes under this section and section 6261 of this title] shall take effect on the date of the enactment of this Act (Nov. 5, 1979).”

**Short Title**

Section 1(a) of Pub. L. 96–102 provided that: “This Act [enacting this chapter, amending sections 6261, 6262, 6263, and 6422 of this title, and enacting provisions set out as notes under this section and section 6261 of this title] may be cited as the ‘Emergency Energy Conservation Act of 1979’.”

**Congressional Findings**

Section 101 of Pub. L. 96–102 provided that: “The Congress finds that—

1. a standby rationing plan for gasoline and diesel fuel should provide, to the maximum extent practicable, that the burden of reduced supplies of gasoline and diesel fuel be shared by all persons in a fair and equitable manner and that the economic and social impacts of such plan be minimized; and
2. such a plan should be sufficiently flexible to respond to changed conditions and sufficiently simple to be effectively administered and enforced.”

**Funding for Fiscal Years 1979 and 1980**

Section 301 of Pub. L. 96–102 provided that: “For purposes of any law relating to appropriations or authorizations for appropriations as such law relates to the fiscal year ending September 30, 1979, or the fiscal year ending September 30, 1980, the provisions of this Act (including amendments made by this Act) [see Short Title note above] shall be treated as if it were a contingency plan under section 202 or 203 of the Energy Policy and Conservation Act [former sections 6262 and 6263 of this title] which was approved in accordance with the procedures under that Act [see Short Title note set out under section 6201 of this title] or as otherwise provided by law, and funds made available pursuant to such appropriations shall be available to carry out the provisions of this Act and the amendments made by this Act.”

**§ 8502. Definitions**

For purposes of this chapter—

1. The term “severe energy supply interruption”, when used with respect to motor fuel or any other energy source, means a national energy supply shortage of such energy source which the President determines—
   (A) is, or is likely to be, of significant scope and duration;
   (B) may cause major adverse impact on national security or the national economy; and
   (C) results, or is likely to result, from an interruption in the energy supplies of the United States, including supplies of imported petroleum products, or from sabotage or an act of God.
2. The term “international energy program” has the meaning given that term in section 6222(7) of this title.
3. The term “motor fuel” means gasoline and diesel fuel.
4. The term “person” includes (A) any individual, (B) any corporation, company, associa-
§ 8511. National and State emergency conservation targets

(a) Determination and publication of targets

(1) Whenever the President finds, with respect to any energy source for which the President determines a severe energy supply interruption exists or is imminent or that actions to restrain domestic energy demand are required in order to fulfill the obligations of the United States under the international energy program, the President, in furtherance of the purposes of this chapter, may establish monthly emergency conservation targets for any such energy source for the Nation generally and for each State.

(2) Any finding of the President under paragraph (1) shall be promptly transmitted to the Congress, accompanied by such information and analysis as is necessary to provide the basis for such finding, and shall be disseminated to the public.

(3)(A) The State conservation target for any energy source shall be equal to (i) the State base period consumption reduced by (ii) a growth adjustment factor, which shall be determined on the basis of the trends in the corresponding month in the 12-month period prior to the first month for which the target is established; and

(ii) The President may, to the extent he determines appropriate, further adjust any State base period consumption to reflect—

(I) reduction in energy consumption already achieved by energy conservation programs;

(II) energy shortages which may affect energy consumption; and

(III) variations in weather from seasonal norms.

(D) For purposes of this subsection, the uniform national percentage shall be designed by the President to minimize the impact on the domestic economy of the projected shortage in the energy source for which a target is established by saving an amount of such energy source equivalent to the projected shortage, taking into consideration such other factors related to that shortage as the President considers appropriate.

(b) Notification and publication of targets

The President shall notify the Governor of each State of each target established under subsection (a) of this section for that State, and shall publish in the Federal Register, the targets, the base period consumption for each State and other data on which the targets are based, and the factors considered under subsection (a)(3) of this section.

(c) Establishment of targets for Federal agencies

In connection with the establishment of any national target under subsection (a) of this section the President shall make effective an emergency energy conservation plan for the Federal Government, which plan shall be designed to achieve an equal or greater reduction in use of the energy source for which a target is established than the national percentage referred to in subsection (a)(3)(D) of this section. Such plan shall contain measures which the President will implement, in accordance with other applicable provisions of law, to reduce on an emergency basis the use of energy by the Federal Government. In developing such plan the President shall consider the potential for emergency reductions in energy use—

(1) by buildings, facilities, and equipment owned, leased, or under contract by the Federal Government; and

(2) by Federal employees and officials through increased use of car and van pooling, preferential parking for multipassenger vehicles, and greater use of mass transit.

(d) Review of targets

(1) From time to time, the President shall review and, consistent with subsection (a) of this section, modify to the extent the President considers appropriate the national and State energy conservation targets established under this subsection.

(2) Any modification under this paragraph shall be accompanied by such information and analysis as is necessary to provide the basis therefor and shall be available to the Congress and the public.

(3)(A) Before the end of the 12th month following the establishment of any conservation target under this section, and annually thereafter while such target is in effect, the President shall determine, for the energy source for which that
target was established, whether a severe energy supply interruption exists or is imminent or that actions to restrain domestic energy demand are required in order to fulfill the obligations of the United States under the international energy program. The President shall transmit to the Congress and make public the information and other data on which any determination under this subparagraph is based.

(B) If the President determines such an energy supply interruption does not exist or is not imminent or such actions are not required, the conservation targets established under this section with respect to such energy source shall cease to be effective.

(e) Determination and publication of actual consumption nationally and State-by-State

Each month the Secretary shall determine and publish in the Federal Register (1) the level of consumption for the most recent month for which the President determines that data is available, nationally and for each State, of any energy source for which a target under subsection (a) of this section is in effect, and (2) whether the targets under subsection (a) of this section have been substantially met or are likely to be met.

(f) Presidential authority not to be delegated

Notwithstanding any other provision of law, the authority vested in the President under this section may not be delegated.

(Pub. L. 96–102, title II, § 211, Nov. 5, 1979, 93 Stat. 758.)

REFERENCES IN TEXT

Section 753 of title 15, referred to in subsec. (a)(3)(C)(i), was omitted from the Code pursuant to section 8513(b) of Title 8512 of this title. Such State plan shall contain adequate assurances that measures contained therein will be effectively implemented in that State. Such plan may provide for reduced use of that energy source through voluntary programs or through the application of one or more of the following measures described in such plan:

(A) measures which are authorized under the laws of that State and which will be administered and enforced by officers and employees of the State (or political subdivisions of the State) pursuant to the laws of such State (or political subdivisions); and

(B) measures—

(i) which the Governor requests, and agrees to assume, the responsibility for administration and enforcement in accordance with subsection (d) of this section;

(ii) which the attorney general of that State has found that (I) absent a delegation of authority pursuant to Federal law, the Governor lacks the authority under the laws of the State to invoke, (II) under applicable State law, the Governor and other appropriate State officers and employees are not prevented from administering and enforcing under a delegation of authority pursuant to Federal law; and (III) if implemented, would not be contrary to State law; and

(iii) which either the Secretary determines are contained in the standby Federal conservation plan established under section 8513 of this title or are approved by the Secretary, in his discretion.

(2) In the preparation of such plan (and any amendment to the plan) the Governor shall, to the maximum extent practicable, provide for consultation with representatives of affected businesses and local governments and provide an opportunity for public comment.

(c) Approval of State plans

(1) As soon as practicable after the date of the receipt of any State plan, but in no event later
shall become effective in that State on the date the Secretary approves the plan under this subsection.

(d) State administration and enforcement

(1) The authority to administer and enforce any measure described in subsection (b)(1)(B) of this section which is in a State plan approved under this section is hereby delegated to the Governor of the State and the other State and local officers and employees designated by the Governor. Such authority includes the authority to institute actions on behalf of the United States for which an administrative or civil action or proceeding, whether or not pending, based upon any act committed or liability incurred prior to such revocation.

(e) Civil penalty

(1) Whoever violates the requirements of any measure described in subsection (b)(1)(B) of this section which is in a State plan in effect under this section shall be subject to a civil penalty of not to exceed $1,000 for each violation.

(2) Any penalty under paragraph (1) may be assessed by the court in any action brought in any appropriate United States district court or any other court of competent jurisdiction. Except to the extent provided in paragraph (3), any such penalty collected shall be deposited into the general fund of the United States Treasury as miscellaneous receipts.

(3) The Secretary may enter into an agreement with the Governor of any State under which amounts collected pursuant to this subsection may be collected and retained by the authority for which is delegated under subsection (d) of this section.


§ 8513. Standby Federal conservation plan

(a) Establishment of standby conservation plan

(1) Within 90 days after November 5, 1979, the Secretary, in accordance with section 7191 of this title, shall establish a standby Federal emergency conservation plan. The Secretary may amend such plan at any time, and shall make such amendments public upon their adoption.

(2) The plan under this section shall be consistent with the attainment of the objectives of section 753(b)(1) of title 15, and shall provide for the emergency reduction in the public and private use of each energy source for which an emergency conservation target is in effect or may be in effect under section 8511 of this title.

(b) Implementation of standby conservation plan

(1) If the President finds—

(A) after a reasonable period of operation, but not less than 90 days, that a State emergency conservation plan approved and implemented under section 8512 of this title is not substantially meeting a conservation target established under section 8511(a) of this title for such State and it is likely that such target will continue to be unmet; and

(B) a shortage exists or is likely to exist in such State for the 60-day period beginning after such finding that is equal to or greater than 8 percent of the projected normal demand, as determined by the President, for an energy source for which such conservation target has been established under section 8511(a) of this title;

then the President shall, after consultation with the Governor of such State, make effective in such State all or any part of the standby Federal conservation plan established under section (a) of this section for such period or periods as the President determines appropriate to achieve the target in that State.

1 See References in Text note below.
(2) If the President finds after a reasonable period of time, that the conservation target established under section 8511(a) of this title is not being substantially met and it is likely that such target will continue to be unmet in a State which—

(A) has no emergency conservation plan approved under section 8512 of this title; or

(B) the President finds has substantially failed to carry out the assurances regarding implementation set forth in the plan approved under section 8512 of this title,

then the President shall, after consultation with the Governor of such State, make effective in such State all or any part of the standby Federal conservation plan established under subsection (a) of this section for such period or periods as the President determines appropriate to achieve the target in that State.

d) Submission of State emergency conservation plan

(1) The Governor of a State in which all or any portion of the standby Federal conservation plan is or will be in effect may submit at any time a State emergency conservation plan, and if it is approved under section 8512(c) of this title, all or such portion of the standby Federal conservation plan shall cease to be effective in that State. Nothing in this paragraph shall affect any action or pending proceedings, administrative or civil, not finally determined on the date the Federal measure ceases to be effective in that State or political subdivision, nor any administrative or civil action or proceeding, whether or not pending, based upon any act committed or liability incurred prior to such cessation of effectiveness.

e) State substitute emergency conservation measures

(1) After the President makes all or any part of the standby Federal conservation plan effective in any State or political subdivision under subsection (b) of this section, the Secretary shall provide procedures whereby such State or any political subdivision thereof may submit to the Secretary for approval one or more measures under authority of State or local law to be implemented by such State or political subdivision and to be substituted for any Federal measure in the Federal plan. The measures may include provisions whereby persons affected by such Federal measure are permitted to use alternative means of conserving at least as much energy as would be conserved by such Federal measure which would have otherwise been in effect in such State or political subdivision;

(B) such measures otherwise meet the requirements of this paragraph; and

(C) such measures would be approved under section 8512(c)(1)(B), (C), and (D) of this title.

(3) If the Secretary approves measures under this subsection such Federal measure shall cease to be effective in that State or political subdivision. Nothing in this paragraph shall affect any action or pending proceedings, administrative or civil, not finally determined on the date the Federal measure ceases to be effective in that State or political subdivision, nor any administrative or civil action or proceeding, whether or not pending, based upon any act committed or liability incurred prior to such cessation of effectiveness.

(4) If the Secretary finds after a reasonable period of time that the requirements of this subsection are not being met under the measures in effect under this subsection he may reimpose the Federal measure referred to in paragraph (1).

f) State authority to administer plan

At the request of the Governor of any State, the President may provide that the administration and enforcement of all or a portion of the standby Federal conservation plan made effective in that State under subsection (b) of this section be in accordance with section 8512(d)(1), (2), and (4) of this title.

g) Presidential authority not to be delegated

Notwithstanding any other provision of law (other than subsection (f) of this section), the authority vested in the President under this section may not be delegated.

h) Requirements of plan

The plan established under subsection (a) of this section shall—

(1) taken as a whole, be designed so that the plan, if implemented, would be likely to achieve the emergency conservation target under section 8511 of this title for which it would be implemented;

(2) taken as a whole, be designed so as not to impose an unreasonably disproportionate share of the burden of restrictions on energy use on any specific class of industry, business, or commercial enterprise, or any individual segment thereof, and

(3) not contain any measure which the Secretary finds—

(A) is inconsistent with any otherwise applicable Federal law (including any rule or regulation under such law),

(B) is an undue burden on interstate commerce,

(C) is a tax, tariff, or user fee, or

(D) is a program for the assignment of rights for end-user purchases of gasoline or diesel fuel, as described in section 6263(a)(1)(A) and (B) of this title.

i) Plan may not authorize weekend closings of retail gasoline stations

(1) Except as provided in paragraph (2), the plan established under subsection (a) of this sec-

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2 So in original. No par. (2) has been enacted.

3 See References in Text note below.
tion may not provide for the restriction of hours of sale of motor fuel at retail at any time be-
tween Friday noon and Sunday midnight.
(2) Paragraph (1) shall not preclude the restric-
tion on such hours of sale if that restriction
occurs in connection with a program for re-
stricting hours of sale of motor fuel each day of
the week on a rotating basis.
(j) Civil penalties
(1) Whoever violates the requirements of such
a plan implemented under subsection (b) of this
section shall be subject to a civil penalty not to
exceed $1,000 for each violation.
(2) Any penalty under paragraph (1) may be as-
essed by the court in any action brought in any
appropriate United States district court or any
other court of competent jurisdiction. Except to
the extent provided under paragraph (3), any
such penalty collected shall be deposited into
the general fund of the United States Treasury
as miscellaneous receipts.
(3) The Secretary may enter into an agree-
ment with the Governor of any State under
which amounts collected pursuant to this sub-
section may be collected and retained by the
State to the extent necessary to cover costs in-
curred by that State in connection with the ad-
ministration and enforcement of that portion of
the standby Federal conservation plan for which
authority is delegated to that State under sub-
section (f) of this section.
762.)

REFERENCES IN TEXT
Section 753 of title 15, referred to in subsec. (a)(2),
was omitted from the Code pursuant to section 760g of
Title 15, Commerce and Trade, which provided for the
expiration of the President's authority under that sec-
tion on Sept. 30, 1981.
Section 6263 of this title, referred to in subsec.
(h)(3)(D), was repealed by Pub. L. 106–469, title I, § 104(1),
Nov. 9, 2000, 114 Stat. 2033.

§ 8514. Judicial review
(a) State actions
(1) Any State may institute an action in the
appropriate district court of the United States,
including actions for declaratory judgment, for
judicial review of—
(A) any target established by the President
under section 8511(a) of this title;
(B) any finding by the President under sec-
tion 8513(b)(1)(A) of this title, relating to the
achievement of the emergency energy con-
servation target of such State, or
8513(b)(2) of this title, relating to the achievement of
the emergency energy conservation target of such
State or the failure to carry out the assur-
ances regarding implementation contained in
an approved plan of such State; or
(C) any determination by the Secretary dis-
approving a State plan under section 8512(c) of
this title, including any determination by the Secretary
under section 8512(c)(1)(B) of this
title that the plan is likely to impose an un-
reasonably disproportionate share of the bur-
den of restrictions of energy use on any spe-
cific class of industry, business, or commercial
enterprise, or any individual segment thereof.
Such action shall be barred unless it is insti-
tuted within 30 calendar days after the date of
publication of the establishment of a target re-
ferred to in subparagraph (A), the finding by the
President referred to in subparagraph (B), or the
determination by the Secretary referred to in
subparagraph (C), as the case may be.
(2) The district court shall determine the ques-
tions of law and upon such determination cer-
tify such questions immediately to the United
States court of appeals for the circuit involved,
which shall hear the matter sitting en banc.
(3) Any decision by such court of appeals on a
matter certified under paragraph (2) shall be re-
viewable by the Supreme Court upon attaintment
of a writ of certiorari. Any petition for such a
writ shall be filed no later than 20 days after the
decision of the court of appeals.
(b) Repealed. Pub. L. 98–620, title IV, § 402(42),
Nov. 8, 1984, 98 Stat. 3360

(c) Injunctive relief
With respect to judicial review under sub-
section (a)(1)(A) of this section, the court shall
not have jurisdiction to grant any injunctive re-
 lief except in conjunction with a final judgment
entered in the case.
764; Pub. L. 98–620, title IV, § 402(42), Nov. 8, 1984,
98 Stat. 3360.)

AMENDMENTS
1984—Subsec. (b). Pub. L. 98–620 struck out subsec. (b)
which required the court of appeals to advance on the
docket and to expedite to the greatest possible extent
the disposition of any matter certified under subsec.
(a)(2).

EFFECTIVE DATE OF 1984 AMENDMENT
Amendment by Pub. L. 98–620 not applicable to cases
pending on Nov. 8, 1984, see section 403 of Pub. L. 98–620,
set out as an Effective Date note under section 1657 of
Title 28, Judiciary and Judicial Procedure.

§ 8515. Reports
(a) Monitoring
The Secretary shall monitor the implementa-
tion of State emergency conservation plans and of
the standby Federal conservation plan and
make such recommendations to the Governor of
each affected State as he deems appropriate for
modification to such plans.
(b) Omitted
765.)

CODIFICATION
Subsec. (b) of this section, which required the Presi-
dent to report annually to Congress on any activities
undertaken pursuant to this subchapter, terminated,
effective May 15, 2000, pursuant to section 3003 of Pub.
L. 106–469, as amended, set out as a note under section
1113 of Title 31, Money and Finance. See, also, the 20th

SUBCHAPTER II—OTHER AUTOMOBILE
FUEL PURCHASE MEASURES

§ 8521. Minimum automobile fuel purchase mea-
sures
(a) General rule
If the provisions of this subsection are made
applicable under subsection (c) of this section,
no person shall purchase motor fuel from a
motor fuel retailer in any transaction for use in
any automobile or other vehicle unless—
(1) the price for the quantity purchased and
placed into the fuel tank of that vehicle equals
or exceeds $5.00; or
(2) in any case in which the amount paid for
the quantity of motor fuel necessary to fill the
fuel tank of that vehicle to capacity is less
than $5.00, such person pays to the retailer an
additional amount so that the total amount
paid in that transaction equals $5.00.

Any person selling motor fuel in transactions to
which the provisions of this subsection apply
shall display at the point of sale notice of such
provisions in accordance with regulations pre-
scribed by the Secretary.

(b) $7.00 to be applicable in case of 8-cylinder ve-
hicles

In applying subsection (a) of this section in
the case of any vehicle with an engine having 8
cylinders (or more), “$7.00” shall be substituted
for “$5.00”.

(c) Applicability

(1) Unless applicable pursuant to paragraph
(2), the requirements of subsection (a) of this
section shall apply in any State and shall be ad-
ministered and enforced as provided in sub-
section (g) of this section only if—
(A) the Governor of that State submits a re-
quiest to the Secretary to have such require-
ments applicable in that State; and
(B) the attorney general of that State has
found that (i) absent a delegation of authority
under a Federal law, the Governor lacks the
authority under the laws of the State to in-
voke comparable requirements, (ii) under ap-
licable State law, the Governor and other ap-
propriate State officers and employees are not
prevented from administering and enforcing
such requirements under a delegation of au-
thority pursuant to Federal law, and (iii) if
implemented such requirements would not be
contrary to State law.

Subject to paragraph (2), such provisions shall
cease to apply in any State if the Governor of
the State withdraws any request under subpara-
graph (A).

(2) The requirements of subsection (a) of this
section shall apply in every State if there is in
effect a finding by the President that nation-
wide implementation of such requirements
would be appropriate and consistent with the
purposes of this chapter.

(3) Such requirements shall take effect in any
State beginning on the 5th day after the Sec-
retary or the President (as the case may be)
publishes notice in the Federal Register of the
applicability of the requirements to the State
pursuant to paragraph (1) or (2).

(4) Notwithstanding any other provision of
law, the authority vested in the President under
paragraph (2) may not be delegated.

(d) Exemptions

The requirements of subsection (a) of this sec-
tion shall not apply to any motorcycle or
motorpowered bicycle, or to any comparable ve-
hicle as may be determined by the Secretary by
regulation.

(e) Adjustment of minimum levels

The Secretary may increase the $5.00 and $7.00
amounts specified in subsections (a) and (b) of
this section if the Secretary considers it ap-
propriate. Adjustments under this subsection shall
be only in even dollar amounts.

(f) Civil penalties

(1) Whoever violates the requirements of sub-
section (a) of this section shall be subject to a
civil penalty of not to exceed $100 for each viola-
tion.

(2) Any penalty under paragraph (1) may be as-
essed by the court in any action under this sec-
tion brought in any appropriate United States
district court or any other court of competent
jurisdiction. Except to the extent provided in
authority paragraph (3), any such penalty collected
shall be deposited into the general fund of the United
States Treasury as miscellaneous receipts.

(3) The Secretary may enter into an agree-
ment with the Governor of any State under
which amounts collected pursuant to this sub-
tection may be collected and retained by the
State to the extent necessary to cover costs in-
curred by that State in connection with the ad-
ministration and enforcement of the require-
ments of subsection (a) of this section author-
ity for which is delegated under subsection
(g) of this section.

(g) Administration and enforcement delegated to
States

(1) There is hereby delegated to the Governor
of any State, and other State and local officers
and employees designated by the Governor, the
authority to administer and enforce, within that
State, any provision of this subchapter which is
to be administered and enforced in accordance
with this section. Such authority includes the
authority to institute actions on behalf of the
United States for the imposition and collection
of civil penalties under subsection (f) of this sec-
tion.

(2)(A) All delegation of authority under para-
graph (1) with respect to any State shall be con-
sidered revoked effective (i) upon the receipt of
a written waiver of authority signed by the Gov-
ernor of such State or (ii) upon a determination
by the President that such delegation should be
revoked, but only to the extent of that deter-
mination.

(B) If at any time the conditions of subsection
(c)(1)(B) of this section are no longer satisfied in
any State to which a delegation has been made
under paragraph (1), the attorney general of that
State shall transmit a written statement to that
effect to the Governor of that State and to the
President. Such delegation shall be considered
revoked effective upon receipt by the President
of such written statement and a determination
by the President that such conditions are no
longer satisfied, but only to the extent of that deter-
mination and consistent with such attor-
ney general’s statement.

(C) Any revocation under subparagraph (A) or
(B) shall not affect any action or pending pro-
ceedings, administrative or civil, not finally de-
termined on the date of such revocation, nor any
administrative or civil action or proceeding,
whether or not pending, based on any act com-
panying these departmental regulations.
§ 8522. Out-of-State vehicles to be exempted from odd-even motor fuel purchase restrictions

(a) General rule

Notwithstanding any provision of any Federal, State, or local law, any odd-even fuel purchase plan in effect in any State may not prohibit the sale of motor fuel to any person for use in a vehicle bearing a license plate issued by any authority other than that State or a State contiguous to that State.

(b) "Odd-even fuel purchase plan" defined

For purposes of this section the term "odd-even fuel purchase plan" means any motor fuel sales restriction under which a person may purchase motor fuel for use in any vehicle only on days (or other periods of time) determined on the basis of a number or letter appearing on the license plate of that vehicle (or on any similar basis).

(Pub. L. 96–102, title II, §222, Nov. 5, 1979, 93 Stat. 767.)

§ 8531. Study and report

(a) Study of commercial and industrial storage of fuel

Not later than 180 days after November 5, 1979, the Secretary shall conduct a study and report to the Congress regarding the commercial and industrial storage of gasoline and middle distillates (other than storage in facilities which have capacities of less than 500 gallons or storage used exclusively and directly for agricultural, residential, petroleum refining, or pipeline transportation purposes).

(b) Report

Before December 31, 1979, the President shall submit a report to Congress in which the President shall examine the middle distillate situation, summarizing the data, information, and analyses described in subsection (a) of this sec-

§ 8532. Middle distillate monitoring program

(a) Monitoring program

(1) Not later than 60 days after November 5, 1979, the Secretary shall establish and maintain a data collection program for monitoring, at the refining, wholesale, and retail levels, the supply and demand levels of middle distillates on a periodic basis in each State.

(2) The program to be established under paragraph (1) shall provide for—

(A) the prompt collection of relevant demand and supply data under the authority available to the Secretary under other law; and

(B) the submission to Congress of periodic reports each containing a concise narrative analysis of the most recent data which the Secretary determines are accurate, and a discussion on a State-by-State basis of trends in such data which the Secretary determines are significant.

(3) All data and information collected under this program shall be available to the Congress and committees of the Congress, and, in accordance with otherwise applicable law, to appropriate State and Federal agencies and the public.

(4) Nothing in this subsection authorizes the direct or indirect regulation of the price of any middle distillate.

(5) For purposes of this section, the term "middle distillate" has the same meaning as given that term in section 211.51 of title 10, Code of Federal Regulations, as in effect on November 5, 1979.

See References in Text note below.
tion and discussing in detail matters required to be addressed in findings made pursuant to section 769a(d)(1)1 of title 15.

(Pub. L. 96–102, title II, §242, Nov. 5, 1979, 93 Stat. 768.)

REFERENCES IN TEXT
Section 769a of title 15, referred to in subsec. (b), was omitted from the Code pursuant to section 760g of Title 15, Commerce and Trade, which provided for the expiration of the President’s authority under that section on Sept. 30, 1981.

SUBCHAPTER IV—ADMINISTRATIVE PROVISIONS

§ 8541. Administration

(a) Information

(1) The Secretary shall use the authority provided under section 796 of title 15 for the collection of such information as may be necessary for the enforcement of the provisions of subchapters I and II of this chapter.

(2) In carrying out his responsibilities under this chapter, the Secretary shall ensure that timely and adequate information concerning the supplies, pricing, and distribution of motor fuels (and other energy sources which are the subject of targets in effect under section 8511 of this title) is obtained, analyzed, and made available to the public. Any Federal agency having responsibility for collection of such information under any other authority shall cooperate fully in facilitating the collection of such information.

(b) Effect on other laws

No State law or State program in effect on November 5, 1979, or which may become effective thereafter, shall be superseded by any provision of this chapter, or any rule, regulation, or order thereunder, except insofar as such State law or State program is in conflict with any such provision of section 8513 or 8521 of this title (or any rule, regulation, or order under this subchapter relating thereto) in any case in which measures have been implemented in that State under the authority of section 8513 or 8521 of this title (as the case may be).

(c) Termination

(1) The provisions of subchapters I, II, III, and IV of this chapter, including any actions taken thereunder, shall cease to have effect on July 1, 1983.

(2) Such expiration shall not affect any action or pending proceeding, administrative or civil, not finally determined on such date, nor any administrative or civil action or proceeding, whether or not pending, based upon any act committed or liability incurred prior to such expiration date.

(Pub. L. 96–102, title II, §251, Nov. 5, 1979, 93 Stat. 769.)

CHAPTER 94—LOW-INCOME ENERGY ASSISTANCE

SUBCHAPTER I—HOME ENERGY ASSISTANCE

Sec. 8601 to 8612. Repealed.

1 See References in Text note below.


Effective Date of Repeal

Section 2611 of Pub. L. 97–35 provided that the repeal made by that section is effective Oct. 1, 1981.

SHORT TITLE