

# Legislative Analysis



## GAS CANS MADE AND USED ONLY WITHIN THE STATE

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bill 4717 (H-1) as referred to second committee**

**Sponsor: Rep. Steven Johnson**

**1st Committee: Commerce and Tourism**

**2nd Committee: Ways and Means**

**Complete to 9-2-20**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

House Bill 4717 would create a new act to require certain gas cans made in this state to include a label reading "Made in Michigan. For use only in Michigan." The proposed act includes a legislative finding that such a container, if it remains in this state, has not entered into interstate commerce and is therefore not subject to congressional authority to regulate interstate commerce.

The new act would require a person who manufactures a portable fuel container in Michigan to clearly stamp, engrave, or otherwise indicate on a central part of the container the words "Made in Michigan. For use only in Michigan." if the container meets both of the following:

- It is manufactured without the inclusion of parts (other than *generic or insignificant parts*) imported from outside Michigan.
- It does not comply with subpart F of 40 CFR part 59 (National Volatile Organic Compound Emission Standards for Consumer and Commercial Products).

*Generic or insignificant parts* would mean parts that are minor components or that have manufacturing or consumer product applications other than the production of portable fuel containers, including steel and plastic.

If the container remained in this state, the label would be evidence that it had not entered or substantially affected interstate commerce.

The new act would also prohibit a person from stamping, engraving, or otherwise indicating on a portable fuel container that it was made in this state unless it was manufactured without the inclusion of parts, other than generic or insignificant parts, imported from outside Michigan.

The proposed act would take effect 90 days after its enactment.

### FISCAL IMPACT:

House Bill 4717 would not affect costs or revenues for the Department of Natural Resources or the Department of Environment, Great Lakes, and Energy. The bill is also unlikely to affect costs or revenues for local governments.

**POSITIONS:**

The following entities indicated opposition to the bill (10-3-19):

- Department of Environment, Great Lakes, and Energy
- League of Conservation Voters

Legislative Analyst: Rick Yuille  
Fiscal Analyst: Austin Scott

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.