



STATE OF SOUTH DAKOTA
DENNIS DAUGAARD, GOVERNOR

June 11, 2012

The Honorable Marty Jackley
South Dakota Attorney General
1302 East Hwy 14, Suite 1
Pierre, SD 57501-8501

Dear Attorney General Jackley,

Pursuant to SDCL §1-11-1(6), I am writing to request a formal opinion from your office regarding the sale of 85 octane gasoline in the state of South Dakota.

The Office of Weights and Measures within the Department of Public Safety has the responsibility of adopting fuel quality standards. Furthermore, the Secretary of Public Safety is the ex officio inspector of petroleum products pursuant to SDCL §37-2-19. The state recently became aware of concerns of 85 octane gasoline being sold in eastern South Dakota. This has prompted me to formally request an Attorney General opinion on the question, "Does South Dakota allow the sale of 85 octane gasoline?" If yes, is the sale of said product restricted to any particular region of the state?

This is an important issue for the citizens of South Dakota and our many visitors. Thank you for your ongoing service to our state. I look forward to receiving your decisions.

Sincerely,

A handwritten signature in cursive script that reads "Dennis Daugaard".

Dennis Daugaard

DD:mn