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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 110 Session of  
2009

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INTRODUCED BY PERRY, BEYER, CLYMER, CONKLIN, CUTLER, DePASQUALE,  
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SIPTROTH, SWANGER, VULAKOVICH, WATSON AND QUINN,  
JANUARY 30, 2009

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REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
JANUARY 30, 2009

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AN ACT

1 Requiring the use of biodiesel by Commonwealth-owned vehicles;  
2 and providing for the powers and duties of the Department of  
3 General Services.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the State Fleet  
8 Biodiesel Fuel Act.

9 Section 2. Purpose.

10 The General Assembly declares the purposes of this act are as  
11 follows:

12 (1) The Commonwealth should lead by example in adopting,  
13 implementing and promoting alternative energy sources and in  
14 using renewable, locally produced biofuels.

15 (2) The Commonwealth is a large business enterprise and  
16 a significant consumer of energy, including transportation

1 fuels in which the expense of this energy represents a  
2 substantial operating cost for State government.

3 (3) The increased investment in alternative  
4 transportation fuels by the Commonwealth will result in lower  
5 operating costs for State government, which will result in  
6 savings for all Pennsylvania taxpayers.

7 Section 3. Definitions.

8 The following words and phrases when used in this act shall  
9 have the meanings given to them in this section unless the  
10 context clearly indicates otherwise:

11 "Biodiesel." A renewable, biodegradable, mono alkyl ester  
12 combustible liquid fuel that meets American Society for Testing  
13 and Materials Specification D6751 or Standard Specification for  
14 Biodiesel Fuel Blend Stock (B100) for Middle Distillate Fuels,  
15 or their successor.

16 "Bulk central fueling facility." A noncommercial fueling  
17 facility that has, as its primary purpose, the fueling of  
18 vehicles owned and operated by the Commonwealth.

19 "Department." The Department of General Services of the  
20 Commonwealth.

21 "Qualified biodiesel producer." A producer of biodiesel that  
22 has, as its principal place of business, a facility for  
23 production of biodiesel fuel in this Commonwealth and is at  
24 least 51% owned or operated by persons with a permanent  
25 residence in this Commonwealth.

26 Section 4. Required use of biodiesel by Commonwealth-owned  
27 vehicles.

28 (a) Volume standards.--The following standards shall apply:

29 (1) Beginning July 1, 2010, a diesel-powered vehicle  
30 owned or operated by an agency under the Governor's

1 jurisdiction or of an independent agency when refueling at a  
2 bulk central fueling facility shall use a diesel blend that  
3 consists of 5% biodiesel by volume.

4 (2) Beginning July 1, 2012, a diesel-powered vehicle  
5 owned or operated by an agency under the Governor's  
6 jurisdiction or of an independent agency when refueling at a  
7 bulk central fueling facility shall use a diesel blend that  
8 consists of 10% biodiesel by volume.

9 (3) Beginning July 1, 2014, a diesel-powered vehicle  
10 owned or operated by an agency under the Governor's  
11 jurisdiction or of an independent agency when refueling at a  
12 bulk central fueling facility shall use a diesel blend that  
13 consists of 15% biodiesel by volume.

14 (4) Beginning July 1, 2016, a diesel-powered vehicle  
15 owned or operated by an agency under the Governor's  
16 jurisdiction or of an independent agency when refueling at a  
17 bulk central fueling facility shall use a diesel blend that  
18 consists of 20% biodiesel by volume.

19 (b) Source of biodiesel.--The biodiesel used in the diesel  
20 blend shall be from a qualified biodiesel producer.

21 (c) Exception.--The requirements of subsection (a) shall not  
22 apply to aviation fuel or where prohibited by law.

23 (d) Manufacturer's warranty.--The requirements of subsection  
24 (a) shall not apply to a vehicle owned or operated by an agency  
25 under the Governor's jurisdiction or of an independent agency  
26 for which mechanical failure due to the use of biodiesel will  
27 void the manufacturer's warranty for that vehicle.

28 Section 5. Procurement standards.

29 The department shall develop procurement methods to ensure  
30 that all diesel fuel purchased for use by Commonwealth-owned

1 vehicles contains the percentages of biodiesel required under  
2 section 4.

3 Section 6. Reporting.

4 The department shall provide an annual report to the chairman  
5 and minority chairman of the Environmental Resources and Energy  
6 Committee of the Senate and the chairman and minority chairman  
7 of the Environmental Resources and Energy Committee of the House  
8 of Representatives. This report shall:

9 (1) Describe the overall amount of biodiesel procured.

10 (2) Describe the amounts utilized by agencies under the  
11 Governor's jurisdiction and independent agencies.

12 (3) Provide a listing of the suppliers and the amounts  
13 of biodiesel supplied to the Commonwealth.

14 Section 7. Effective date.

15 This act shall take effect in 60 days.