

SENATE BILL 961

P2

11r3000

By: **Senator Garagiola**

Introduced and read first time: March 3, 2011

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, March 7, 2011

Committee Report: Favorable

Senate action: Adopted

Read second time: March 23, 2011

CHAPTER _____

1 AN ACT concerning

2 **State Vehicle Fleet – Use of Biofuels**

3 FOR the purpose of altering the requirement that the State ensure that at least a
4 certain percentage of vehicles using diesel fuel in the State vehicle fleet use a
5 blend of fuel containing at least a certain percentage of biodiesel fuel to include
6 the use of certain biofuels; providing that a certain provision does not apply to a
7 State vehicle, piece of heavy equipment, or heating equipment under certain
8 circumstances; and generally relating to the use of biofuels for the State vehicle
9 fleet.

10 BY repealing and reenacting, with amendments,
11 Article – State Finance and Procurement
12 Section 14–408
13 Annotated Code of Maryland
14 (2009 Replacement Volume and 2010 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – State Finance and Procurement**

18 14–408.

19 (a) In this section, “biodiesel fuel” means:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (1) a fuel, comprised of mono-alkyl esters of long chain fatty acids
 2 derived from vegetable oils or animal fats, that is designated B100 and meets the
 3 requirements of ASTM D 6751 and its successors; or

4 (2) a blend of biodiesel fuel meeting ASTM D 6751 with
 5 petroleum-based diesel fuel, designated as BXX, where XX represents the volume
 6 percentage of biodiesel fuel in the blend.

7 (b) In fiscal year 2008 and in each subsequent fiscal year, the State shall
 8 ensure that at least 50% of the vehicles using diesel fuel in the State vehicle fleet use a
 9 blend of fuel that is at least 5% biodiesel fuel **OR OTHER BIOFUEL APPROVED BY**
 10 **THE U.S. ENVIRONMENTAL PROTECTION AGENCY AS A FUEL OR FUEL**
 11 **ADDITIVE OR APPROVED UNDER THE EPA RENEWABLE FUELS STANDARD 2**
 12 **PROGRAM.**

13 (c) In fiscal year 2009 and in each subsequent fiscal year, the State shall
 14 ensure that at least 50% of the heavy equipment owned by the State using diesel fuel
 15 and at least 50% of the heating equipment in State buildings that uses normal or #2
 16 heating oil use, subject to availability, a blend of fuel that is at least 5% biodiesel fuel
 17 **OR OTHER BIOFUEL APPROVED BY THE U.S. ENVIRONMENTAL PROTECTION**
 18 **AGENCY AS A FUEL OR FUEL ADDITIVE OR APPROVED UNDER THE EPA**
 19 **RENEWABLE FUELS STANDARD 2 PROGRAM.**

20 (d) This section does not apply to any State vehicle, piece of heavy
 21 equipment, or heating equipment for which mechanical failure due to use of biodiesel
 22 fuel **OR OTHER BIOFUEL** will void the manufacturer's warranty for that vehicle, piece
 23 of heavy equipment, or heating equipment.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 25 October 1, 2011.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.