

March 21, 2007

S 1272. DEFINITION OF BIODIESEL. Filed 3/21/07. *TO AMEND THE DEFINITION OF BIODIESEL FOR THE QUALITY AND SAFETY OF MOTORISTS.*

Amends GS 105-449.60 to define biodiesel as fuel derived from vegetable oils or animal fats, meeting certain requirements and blends of biodiesel with petroleum-based diesel fuel, meeting certain requirements. The current definition of biodiesel is any fuel or mixture of fuels derived in whole or in part from agricultural products or animal fats or wastes from these products or fats. Effective July 1, 2007.

Intro. by Snow.

GS 105

July 27, 2007

S 1272. PROMOTE USE OF BIOFUELS (NEW). Filed 3/21/07. House committee substitute deletes all provisions of the 1st edition and replaces it with *AN ACT TO: (1) PROVIDE A TAX CREDIT FOR PRODUCERS OF BIODIESEL THAT MEETS CERTAIN QUALITY STANDARDS; (2) EXEMPT BIODIESEL THAT IS PRODUCED BY AN INDIVIDUAL FOR PERSONAL USE IN A PRIVATE PASSENGER VEHICLE FROM THE MOTOR FUEL EXCISE TAX; AND (3) DESIGNATE THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AS THE LEAD AGENCY IN MATTERS PERTAINING TO BIOFUEL.* Amends GS 105-129.16F (tax credit for biodiesel producers) to narrow the definition of *biodiesel*. Also reorganizes the statute and adds a definition of *biodiesel provider*. Effective October 1, 2007, amends GS 105-449.88 (exemptions from the motor fuel excise tax) to exempt biodiesel that is (1) derived from used restaurant cooking oil and (2) produced by an individual for use in the individual's own private passenger vehicle.

Effective when the act becomes law, enacts new Article 3A of GS Chapter 119 to make the Department of Agriculture and Consumer Services (DACS) the lead agency for regulation of biofuels. Provides findings and definitions, designates biofuel as an agricultural product for purposes of the new article, and sets out the powers and duties of DACS. Directs DACS to develop and implement a program regulating the production and sale of ethanol and other alcohols produced and used as motor fuel. Exempts these fuels from regulation by the Alcoholic Beverage Control Commission. Provides that a violation of the article or rules adopted under the article is a Class 1 misdemeanor.

July 31, 2007

S 1272. MOTOR FUEL TAX EXEMPTION FOR BIODIESEL (NEW). Filed 3/21/07. House committee substitute makes the following changes to the 2nd edition. Modifies proposed amendments to GS 105-449.88 (exemptions from the motor fuel excise tax) to eliminate the requirement that, in order to be exempt, individually produced biodiesel must be derived from used restaurant cooking oil. Deletes proposed amendments to GS 105-129.16F (tax credit for biodiesel producers). Deletes proposed new Article 3A of GS Chapter 119, which would have made the Department of Agriculture and Consumer Services the lead agency for regulation of biofuels. Conforms the title.

August 1, 2007

S 1272. MOTOR FUEL TAX EXEMPTION FOR BIODIESEL. Filed 3/21/07. House amendment makes the following changes to 3rd edition. Effective when the act becomes law, requires the Revenue Laws Study Committee and the Joint Legislative Transportation Oversight Committee to study the issue of providing adequate funding for transportation infrastructure development and improvement and to report to the 2008 regular session.

September 4, 2007

SL 2007-524 (S 1272). MOTOR FUEL TAX EXEMPTION FOR BIODIESEL. *AN ACT TO EXEMPT BIODIESEL THAT IS PRODUCED BY AN INDIVIDUAL FOR PERSONAL USE IN A PRIVATE PASSENGER VEHICLE FROM THE MOTOR FUEL EXCISE TAX.* Summarized in

Daily Bulletin 7/27/07, 7/31/07, and 8/1/07. Enacted August 31, 2007. Section 1 is effective October 1, 2007. The remainder is effective August 31, 2007.