

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 457
PROPOSED COMMITTEE SUBSTITUTE S457-PCS75252-TD-28

Short Title: Add Definition of Biodiesel.

(Public)

Sponsors:

Referred to:

March 9, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO ADD THE DEFINITION OF BIODIESEL TO THE ENERGY CREDIT
3 BANKING AND SELLING PROGRAM FOR THE QUALITY AND SAFETY OF
4 MOTORISTS AND TO MAKE A CONFORMING CHANGE TO THE ALTERNATIVE
5 FUEL REVOLVING FUND.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 143-58.4(a) reads as rewritten:

8 "(a) ~~As used in this section:~~ The following definitions apply in this section:

- 9 (1) ~~"AFV" means a~~AFV. – A hybrid electric vehicle that derives its
10 transportation energy from gasoline and electricity. AFV also means an
11 original equipment manufactured vehicle that operates on compressed
12 natural gas, propane, or electricity.
- 13 (2) ~~"Alternative fuel" means biodiesel,~~Alternative fuel. – Biodiesel, biodiesel
14 blend, ethanol, compressed natural gas, propane, and electricity used as a
15 transportation fuel in blends or in a manner as defined by the Energy Policy
16 Act.
- 17 (3) ~~"B-20" means a~~B-20. – A blend of twenty percent (20%) by volume
18 biodiesel fuel and eighty percent (80%) by volume petroleum-based diesel
19 fuel.
- 20 (3a) Biodiesel. – A fuel comprised of mono-alkyl esters of long fatty acids
21 derived from vegetable oils or animal fats, designated B100 and meeting the
22 requirements of the American Society for Testing and Materials (ASTM)
23 D-6751.
- 24 (3b) Biodiesel blend. – A blend of biodiesel fuel with petroleum-based diesel
25 fuel, designated BXX where XX represents the percentage of volume of fuel
26 in the blend meeting the requirements of ASTM D-6751.
- 27 (4) ~~"Department" means the~~Department. – The Department of Administration.
- 28 (5) ~~"Energy Policy Act" means the~~Energy Policy Act. – The federal Energy
29 Policy Act of 1992, Pub. L. No. 102-486, 106 Stat. 2782, 42 U.S.C. § 13201,
30 et seq.
- 31 (6) ~~"EPA credit" means a~~EPAct credit. – A credit issued pursuant to the
32 Energy Policy Act.
- 33 (7) ~~"E-85" means a~~E-85. – A blend of eighty-five percent (85%) by volume
34 ethanol and fifteen percent (15%) by volume gasoline.



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- 1 (8) ~~"Incremental fuel cost"~~ means Incremental fuel cost. – The difference in
2 cost between an alternative fuel and conventional petroleum fuel at the time
3 the fuel is purchased.
4 (9) ~~"Incremental vehicle cost"~~ means Incremental vehicle cost. – The
5 difference in cost between an AFV and conventional vehicle of the same
6 make and model. For vehicles with no comparable conventional model,
7 incremental vehicle cost means the generally accepted difference in cost
8 between an AFV and a similar conventional model."

9 **SECTION 2.** G.S. 143-58.5(c) reads as rewritten:

10 "(c) The Fund shall be used to offset the incremental fuel cost of biodiesel and biodiesel
11 blend fuel with a minimum biodiesel concentration of B-20 for use in State vehicles, for the
12 purchase of ethanol fuel with a minimum ethanol concentration of E-85 for use in State
13 vehicles, the incremental vehicle cost of purchasing AFVs, for the development of related
14 refueling infrastructure, for the costs of administering the Fund, and for projects approved by
15 the Energy Policy Council."

16 **SECTION 3.** This act becomes effective July 1, 2009.