

CHAPTER 623

(House Bill 745)

AN ACT concerning

State-Owned Heavy Equipment and Heating Equipment – Biodiesel Fuel Requirement

FOR the purpose of requiring the State to ensure that at least a certain percentage of certain heating equipment in State buildings and heavy equipment owned by the State in certain fiscal years use, subject to availability, a blend of fuel containing at least a certain percentage of biodiesel fuel; exempting certain heating equipment and heavy equipment; and generally relating to the use of biodiesel fuel in heating equipment in State buildings and heavy equipment owned by the State.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–408
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Article – State Finance and Procurement

14–408.

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

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

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

(b) In fiscal year 2008 and in each subsequent fiscal year, the State shall ensure that at least 50% of the vehicles using diesel fuel in the State vehicle fleet use a blend of fuel that is at least 5% biodiesel fuel.

(c) IN FISCAL YEAR 2009 AND IN EACH SUBSEQUENT FISCAL YEAR, THE STATE SHALL ENSURE THAT AT LEAST 50% OF THE HEAVY EQUIPMENT OWNED BY THE STATE USING DIESEL FUEL AND AT LEAST 50% OF THE HEATING EQUIPMENT IN STATE BUILDINGS THAT USES NORMAL OR #2 HEATING OIL USE, SUBJECT TO AVAILABILITY, A BLEND OF FUEL THAT IS AT LEAST 5% BIODIESEL FUEL.

[(c)] (D) This section does not apply to any State vehicle, **PIECE OF HEAVY EQUIPMENT, OR HEATING EQUIPMENT for which mechanical failure due to use of biodiesel fuel will void the manufacturer's warranty for that vehicle, **PIECE OF HEAVY EQUIPMENT, OR HEATING EQUIPMENT**.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2007.

Approved by the Governor, May 17, 2007.