

SENATE BILL 342

P2, M4

8lr1378

By: **Senator Garagiola**

Introduced and read first time: January 28, 2008

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Procurement – Flexible–Fuel Vehicles – Alternative Fuel Requirements**

3 FOR the purpose of requiring the State to ensure that certain percentages of certain
4 State vehicles are fueled exclusively by a certain type of fuel by certain years;
5 defining certain terms; and generally relating to alternative fuel requirements
6 for the State’s fleet of flexible–fuel vehicles.

7 BY repealing and reenacting, with amendments,
8 Article – State Finance and Procurement
9 Section 14–408
10 Annotated Code of Maryland
11 (2006 Replacement Volume and 2007 Supplement)

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

14 **Article – State Finance and Procurement**

15 14–408.

16 (a) (1) In this section[, “biodiesel fuel” means:] **THE FOLLOWING WORDS**
17 **HAVE THE MEANINGS INDICATED.**

18 (2) **“BIODIESEL FUEL” MEANS:**

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

4 (3) **“ETHANOL” HAS THE MEANING ESTABLISHED UNDER §**
5 **10-501 OF THE AGRICULTURE ARTICLE.**

6 (4) **“E85” MEANS A FUEL THAT IS COMPOSED OF A COMBINATION**
7 **OF ETHANOL AND GASOLINE AND MEETS THE FUEL SPECIFICATIONS FOR E85**
8 **DEVELOPED BY THE AMERICAN SOCIETY OF TESTING AND MEASUREMENTS**
9 **(ASTM).**

10 (5) **“FLEXIBLE-FUEL VEHICLE” MEANS A MOTOR VEHICLE THAT**
11 **IS CAPABLE OF OPERATING WHEN FUELED WITH GASOLINE, E85, OR A MIXTURE**
12 **OF BOTH.**

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

16 (c) In fiscal year 2009 and in each subsequent fiscal year, the State shall
17 ensure that at least 50% of the heavy equipment owned by the State using diesel fuel
18 and at least 50% of the heating equipment in State buildings that uses normal or #2
19 heating oil use, subject to availability, a blend of fuel that is at least 5% biodiesel fuel.

20 (D) (1) **BEGINNING IN FISCAL YEAR 2010, THE STATE SHALL ENSURE**
21 **THAT 25% OF THE STATE’S FLEET OF FLEXIBLE-FUEL VEHICLES IS FUELED**
22 **EXCLUSIVELY WITH E85.**

23 (2) **BEGINNING IN FISCAL YEAR 2012, THE STATE SHALL ENSURE**
24 **THAT 50% OF THE STATE’S FLEET OF FLEXIBLE-FUEL VEHICLES IS FUELED**
25 **EXCLUSIVELY WITH E85.**

26 [(d)] (E) This section does not apply to any State vehicle, piece of heavy
27 equipment, or heating equipment for which mechanical failure due to use of biodiesel
28 fuel will void the manufacturer’s warranty for that vehicle, piece of heavy equipment,
29 or heating equipment.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2008.