

CHAPTER 48

GOVERNMENT - STATE

SENATE BILL 06-016

BY SENATOR(S) Entz, Fitz-Gerald, Kester, Shaffer, Bacon, Brophy, Gordon, Groff, Grossman, Hanna, Isgar, Sandoval, Spence, Tapia, Taylor, Tochtrop, Tupa, Veiga, Wiens, Williams, and Windels;
 also REPRESENTATIVE(S) Rose, Gallegos, Gardner, Hodge, Berens, Borodkin, Boyd, Butcher, Carroll M., Cerbo, Coleman, Frangas, Garcia, Green, Hall, Jahn, Kerr, Madden, McCluskey, McFadyen, Merrifield, Paccione, Plant, Riesberg, Solano, Stafford, Stengel, Sullivan, Todd, and Witwer.

AN ACT

CONCERNING THE USE OF BIODIESEL FUEL FOR ALL STATE-OWNED DIESEL VEHICLES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. The introductory portion to 24-30-1104 (2) and 24-30-1104 (2) (c) (III), Colorado Revised Statutes, are amended, and the said 24-30-1104 (2) (c) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

24-30-1104. Central services functions of the department - repeal. (2) In addition to the county-specific functions set forth in subsection (1) of this section, the department of personnel shall take such steps as are necessary to fully implement a central state motor vehicle fleet system by January 1, 1993. The provisions of the motor vehicle fleet system created pursuant to this subsection (2) shall apply to the executive branch of the state of Colorado, its departments, ITS institutions, and ITS agencies; except that the governing board of each institution of higher education, by formal action of the board, and the Colorado commission on higher education, by formal action of the commission, may elect to be exempt from the provisions of this subsection (2) and may obtain a motor vehicle fleet system independent of the state motor vehicle fleet system. Under the direction of the executive director, the department of personnel shall perform the following functions pertaining to the motor vehicle fleet system throughout the state:

(c) (III) For purposes of this paragraph (c):

(A) "Alternative fuel" has the meaning established in section 25-7-106.8, C.R.S.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(B) "Bi-fueled vehicle" means a motor vehicle, which may be purchased to comply with applicable federal requirements including, but not limited to, the federal "Energy Policy Act of 1992", 42 U.S.C. sec. 13257, and 42 U.S.C. sec. 7587, that can operate on both an alternative fuel and a traditional fuel or that can operate alternately on a traditional fuel and an alternative fuel.

(C) "BIODIESEL" MEANS FUEL COMPOSED OF MONO-ALKYL ESTERS OF LONG CHAIN FATTY ACIDS DERIVED FROM PLANT OR ANIMAL MATTER THAT MEET ASTM SPECIFICATIONS AND THAT IS PRODUCED IN COLORADO.

(IV) (A) BY JANUARY 1, 2007, THE DIRECTOR SHALL ADOPT A POLICY THAT ALL STATE-OWNED DIESEL VEHICLES AND EQUIPMENT SHALL BE FUELED WITH A FUEL BLEND OF TWENTY PERCENT BIODIESEL AND EIGHTY PERCENT PETROLEUM DIESEL, SUBJECT TO AVAILABILITY AND SO LONG AS THE PRICE IS NO GREATER THAN TEN CENTS MORE PER GALLON THAN THE PRICE OF DIESEL FUEL. THE DIRECTOR SHALL PROVIDE FOR THE PROPER ADMINISTRATION, IMPLEMENTATION, AND ENFORCEMENT OF THE POLICY.

(B) THE DIRECTOR OF THE DEPARTMENT OF PERSONNEL SHALL REPORT TO THE GENERAL ASSEMBLY ON OR BEFORE JANUARY 1, 2009, THE EXTENT OF BIODIESEL USE IN THE STATE FLEET. THE REPORT SHALL CONTAIN THE NUMBER OF GALLONS PURCHASED SINCE JANUARY 1, 2007, THE AVERAGE PRICE OF BIODIESEL, AND A DESCRIPTION OF ECONOMIC BENEFITS. THIS SUB-SUBPARAGRAPH (B) IS REPEALED, EFFECTIVE JANUARY 1, 2009.

SECTION 2. Effective date - applicability. This act shall take effect July 1, 2006, and the policy adopted pursuant to section 24-30-1104 (2) (c) (IV) shall apply to all state-owned diesel vehicles fueled on or after January 1, 2007.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 31, 2006