

CHAPTER 142

GOVERNMENT - STATE

SENATE BILL 09-092

BY SENATOR(S) Kopp, Romer, Brophy, White, Penry, King K., Renfroe, Boyd, Mitchell, Scheffel, Tochtrop;
 also REPRESENTATIVE(S) Marostica, King S., Sonnenberg, Stephens, Waller, Baumgardner, Benefield, Bradford, Casso, Court,
 Ferrandino, Gardner B., Kerr J., Lambert, Liston, Looper, May, Middleton, Murray, Nikkel, Priola, Rice, Roberts, Scanlan,
 Summers, Swalm, Tipton, Todd, Vigil, Carroll T.

AN ACT

**CONCERNING THE REQUIREMENT THAT STATE-OWNED MOTOR VEHICLES OPERATE ON
 COMPRESSED NATURAL GAS.**

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

SECTION 1. The introductory portion to 24-30-1104 (2) (c) (II), Colorado Revised Statutes, is amended to read:

24-30-1104. Central services functions of the department - definitions - repeal. (2) (c) (II) By January 1, 2008, the executive director shall adopt a policy to significantly increase the utilization of alternative fuels and that establishes increasing utilization objectives for each following year. To encourage compliance with this policy, the rules promulgated pursuant to this paragraph (c) may establish progressively more stringent percentage mileposts and shall, for fiscal years commencing after July 1, 2004, require the collection of data concerning the annual percentage of state-owned bi-fueled vehicles that were fueled exclusively with an alternative fuel. ~~Beginning~~ **FOR THE YEARS COMMENCING ON January 1, 2008, AND JANUARY 1, 2009, the executive director shall purchase flexible fuel vehicles or hybrid vehicles, subject to availability, unless the increased cost of such vehicle is more than ten percent over the cost of a comparable nonflexible fuel vehicle. BEGINNING ON JANUARY 1, 2010, THE EXECUTIVE DIRECTOR SHALL PURCHASE MOTOR VEHICLES THAT OPERATE ON COMPRESSED NATURAL GAS, SUBJECT TO THEIR AVAILABILITY AND THE AVAILABILITY OF ADEQUATE FUEL AND FUELING INFRASTRUCTURE, UNLESS THE INCREASED BASE COST OF SUCH VEHICLE OR THE INCREASED LIFE CYCLE COST OF SUCH VEHICLE IS MORE THAN TEN PERCENT OVER THE COST OF A COMPARABLE NONFLEXIBLE FUEL VEHICLE. IF THE EXECUTIVE DIRECTOR DOES NOT PURCHASE A MOTOR VEHICLE THAT OPERATES ON COMPRESSED**

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

NATURAL GAS BECAUSE OF ITS COST, HE OR SHE SHALL PURCHASE ANOTHER TYPE OF FLEXIBLE FUEL VEHICLE OR A HYBRID VEHICLE, SUBJECT TO AVAILABILITY, UNLESS THE INCREASED COST OF SUCH VEHICLE IS MORE THAN TEN PERCENT OVER THE COST OF A COMPARABLE NONFLEXIBLE FUEL VEHICLE. The executive director shall adopt a policy to allow some vehicles to be exempted from this requirement. DURING THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH GENERAL ASSEMBLY IN 2010, THE EXECUTIVE DIRECTOR SHALL REPORT SIMULTANEOUSLY TO THE TRANSPORTATION COMMITTEE OF THE SENATE AND THE TRANSPORTATION AND ENERGY COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, DETAILING THE KEY FINANCIAL DECISION POINTS AND ANALYSIS THAT LED TO THE EXECUTIVE DIRECTOR'S DETERMINATION TO PURCHASE OR DECLINE TO PURCHASE MOTOR VEHICLES THAT OPERATE ON NATURAL GAS AS REQUIRED BY THIS SUBPARAGRAPH (II). As used in this subparagraph (II):

SECTION 2. Act subject to petition - effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 5, 2009, if adjournment sine die is on May 6, 2009); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: April 20, 2009