

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 20, 2007
Date

Committee on Transportation & Energy.

After consideration on the merits, the Committee recommends the following:

HB07-1228 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 3, strike lines 12 and 13 and substitute the
2 following:

3 "~~shall adopt a policy that at least ten percent of all state-owned bi-fueled~~
4 ~~vehicles should be fueled exclusively with an alternative fuel~~ TO
5 SIGNIFICANTLY INCREASE THE UTILIZATION OF ALTERNATIVE FUELS AND
6 THAT ESTABLISHES INCREASING UTILIZATION OBJECTIVES FOR EACH
7 FOLLOWING YEAR. To".

8 Page 5, strike lines 5 through 27 and substitute the following:

9 "SECTION 3. 8-20-201 (1), (1.1), and (1.2), Colorado Revised
10 Statutes, are amended, and the said 8-20-201 is further amended BY THE
11 ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

12 **8-20-201. Definitions.** As used in this part 2, unless the context
13 otherwise requires:

14 (1) "~~Antiknock index" or "AKI" means the arithmetic average of~~
15 ~~the research octane number (RON) and motor octane number (MON):~~
16 ~~AKI = (RON+MON)/2. This value is called by a variety of names in~~
17 ~~addition to antiknock index including: Octane rating, posted octane, and~~
18 ~~(R+M)/2 octane~~ "ALTERNATIVE FUEL" MEANS A MOTOR FUEL THAT
19 COMBINES PETROLEUM-BASED FUEL PRODUCTS WITH RENEWABLE FUELS.

1 (1.1) ~~"ASTM" means ASTM international, formerly known as the~~
2 ~~American society for testing and materials. "ANTIKNOCK INDEX" OR~~
3 ~~"AKI" MEANS THE ARITHMETIC AVERAGE OF THE RESEARCH OCTANE~~
4 ~~NUMBER (RON) AND MOTOR OCTANE NUMBER (MON): AKI =~~
5 ~~(RON+MON)/2. THIS VALUE IS CALLED BY A VARIETY OF NAMES IN~~
6 ~~ADDITION TO ANTIKNOCK INDEX INCLUDING: OCTANE RATING, POSTED~~
7 ~~OCTANE, AND (R+M)/2 OCTANE.~~

8 (1.2) ~~"British thermal unit" or "BTU" means a scientific unit of~~
9 ~~measurement equal to the quantity of heat required to raise the~~
10 ~~temperature of one pound of water one degree Fahrenheit at~~
11 ~~approximately sixty degrees Fahrenheit. "ASTM" MEANS ASTM~~
12 ~~INTERNATIONAL, FORMERLY KNOWN AS THE AMERICAN SOCIETY FOR~~
13 ~~TESTING AND MATERIALS.~~

14 (1.3) "BRITISH THERMAL UNIT" OR "BTU" MEANS A SCIENTIFIC
15 UNIT OF MEASUREMENT EQUAL TO THE QUANTITY OF HEAT REQUIRED TO
16 RAISE THE TEMPERATURE OF ONE POUND OF WATER ONE DEGREE
17 FAHRENHEIT AT APPROXIMATELY SIXTY DEGREES FAHRENHEIT.

18 (8.5) "RENEWABLE FUEL" MEANS A MOTOR VEHICLE FUEL THAT IS
19 PRODUCED FROM PLANT OR ANIMAL PRODUCTS OR WASTES, AS OPPOSED
20 TO FOSSIL FUEL SOURCES.

21 **SECTION 4.** 8-20.5-101, Colorado Revised Statutes, is amended
22 BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to
23 read:

24 **8-20.5-101. Definitions.** As used in this article, unless the context
25 otherwise requires:

26 (2.5) "ALTERNATIVE FUEL" MEANS A MOTOR FUEL THAT COMBINES
27 PETROLEUM-BASED FUEL PRODUCTS WITH RENEWABLE FUELS.

28 (14.5) "RENEWABLE FUEL" MEANS A MOTOR VEHICLE FUEL THAT
29 IS PRODUCED FROM PLANT OR ANIMAL PRODUCTS OR WASTES, AS OPPOSED
30 TO FOSSIL FUEL SOURCES.

31 **SECTION 5.** 8-20.5-101 (13), Colorado Revised Statutes, is
32 amended to read:

1 **8-20.5-101. Definitions.** As used in this article, unless the context
2 otherwise requires:

3 (13) "Regulated substance" means:

4 (a) Any substance defined in section 101 (14) of the federal
5 "Comprehensive Environmental Response, Compensation, and Liability
6 Act of 1980", as amended, but not including any substance regulated as
7 a hazardous waste under subtitle (C) of the federal "Resource
8 Conservation and Recovery Act of 1976", as amended; or

9 (b) Petroleum, including crude oil, and crude oil or any fraction
10 thereof that is liquid at standard conditions of temperature and pressure
11 (60 degrees Fahrenheit and 14.7 pounds per square inch absolute);

12 (c) ALTERNATIVE FUEL; OR

13 (d) RENEWABLE FUEL.

14 **SECTION 6.** 8-20.5-202, Colorado Revised Statutes, is amended
15 BY THE ADDITION OF A NEW SUBSECTION to read:

16 **8-20.5-202. Duties of the director of the division of oil and**
17 **public safety.** (1.5) WITHIN ONE HUNDRED TWENTY DAYS AFTER
18 JANUARY 1, 2008, THE DIRECTOR OF THE DIVISION OF OIL AND PUBLIC
19 SAFETY SHALL PROMULGATE, AND THE DIVISION SHALL ENFORCE, RULES
20 CONCERNING THE PLACEMENT OF UNDERGROUND STORAGE TANKS THAT
21 CONTAIN RENEWABLE FUELS. SUCH RULES SHALL BE PROMULGATED WITH
22 THE PURPOSE OF DEVELOPING A UNIFORM STATEWIDE STANDARD OF
23 ISSUING PERMITS FOR UNDERGROUND STORAGE TANKS TO PROMOTE THE
24 USE OF RENEWABLE FUELS SO THAT THE PROCESS OF OBTAINING A PERMIT
25 FOR AN UNDERGROUND STORAGE TANK THAT CONTAINS RENEWABLE
26 FUELS MAY BE MORE EFFICIENT AND AFFORDABLE.

27 **SECTION 7.** 8-20.5-302, Colorado Revised Statutes, is amended
28 BY THE ADDITION OF A NEW SUBSECTION to read:

29 **8-20.5-302. Duties of the director of the division of oil and**
30 **public safety.** (3) WITHIN ONE HUNDRED TWENTY DAYS AFTER JANUARY
31 1, 2008, THE DIRECTOR OF THE DIVISION OF OIL AND PUBLIC SAFETY SHALL
32 PROMULGATE, AND THE DIVISION SHALL ENFORCE, RULES CONCERNING



1 THE PLACEMENT OF ABOVEGROUND STORAGE TANKS THAT CONTAIN
2 RENEWABLE FUELS. SUCH RULES SHALL BE PROMULGATED WITH THE
3 PURPOSE OF DEVELOPING A UNIFORM STATEWIDE STANDARD OF ISSUING
4 PERMITS FOR ABOVEGROUND STORAGE TANKS TO PROMOTE THE USE OF
5 RENEWABLE FUELS SO THAT THE PROCESS OF OBTAINING A PERMIT FOR AN
6 ABOVEGROUND STORAGE TANK THAT CONTAINS RENEWABLE FUELS MAY
7 BE MORE EFFICIENT AND AFFORDABLE.

8 **SECTION 8.** Article 2 of title 40, Colorado Revised Statutes, is
9 amended BY THE ADDITION OF A NEW SECTION to read:

10 **40-2-109.5. Incentives for distributed generation - definition.**

11 (1) THE COMMISSION SHALL DEVELOP A POLICY TO ESTABLISH INCENTIVES
12 FOR CONSUMERS WHO PRODUCE DISTRIBUTED GENERATION, INCLUDING,
13 BUT NOT LIMITED TO SMALL WIND TURBINES, THERMAL BIOMASS,
14 ELECTRIC BIOMASS, AND SOLAR THERMAL ENERGY. THE COMMISSION
15 SHALL CONSIDER WHETHER A CREDIT PROGRAM SIMILAR TO THE
16 RENEWABLE ENERGY STANDARD SET FORTH IN SECTION 40-2-124 WOULD
17 WORK FOR CONSUMERS WHO PRODUCE DISTRIBUTED GENERATION. THE
18 COMMISSION SHALL PRESENT THE POLICY AND FINDINGS REGARDING A
19 CREDIT PROGRAM TO THE HOUSE OF REPRESENTATIVES TRANSPORTATION
20 AND ENERGY COMMITTEE AND THE SENATE AGRICULTURE, NATURAL
21 RESOURCES, AND ENERGY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES.

22 (2) AS USED IN THIS SECTION, "DISTRIBUTED GENERATION" MEANS
23 A SYSTEM BY WHICH A CONSUMER GENERATES HEAT OR ELECTRICITY
24 USING RENEWABLE ENERGY RESOURCES FOR HIS OR HER OWN NEEDS AND
25 MAY ALSO SEND SURPLUS ELECTRICAL POWER BACK INTO THE POWER
26 GRID."

27 Strike pages 6 and 7.

28 Renumber succeeding sections accordingly.

29 Page 1, strike lines 108 through 111 and substitute the following:
30 "FUELS."

** *** ** *** **

