

**First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 13-0068.01 Nicole Myers

SENATE BILL 13-070

SENATE SPONSORSHIP

Schwartz, Jones

HOUSE SPONSORSHIP

Scott and Tyler, Fischer, Hamner, Young

Senate Committees
Transportation

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE PURCHASE OF VEHICLES THAT OPERATE ON**
102 **ALTERNATIVE FUELS FOR THE STATE MOTOR VEHICLE FLEET**
103 **SYSTEM.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries.>)

Transportation Legislation Review Committee. Currently, the executive director of the department of personnel (director) is required to purchase motor vehicles that operate on compressed natural gas (CNG) for the state's motor vehicle fleet system, subject to their availability and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

SENATE
3rd Reading Unamended
February 13, 2013

SENATE
Amended 2nd Reading
February 12, 2013

the availability of adequate fuel and fueling infrastructure. There is an exemption if the increased cost of the vehicle is more than 10% over the cost of a comparable nonflexible fuel vehicle. The bill requires the director to purchase motor vehicles that operate on CNG or other alternative fuels, as currently defined by law, for the state's motor vehicle fleet system if either the increased base cost of such vehicle or the increased life-cycle cost of such vehicle is not more than 10% over the cost of a comparable dedicated petroleum fuel vehicle.

The bill requires the director to submit a report to the transportation committees of the senate and the house of representatives during the 2013 legislative session regarding the purchase of vehicles that operate on CNG and other alternative fuels.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-30-1104, **amend**
3 (2) (c) (II) introductory portion; and **add** (2) (c) (V) as follows:

4 **24-30-1104. Central services functions of the department -**
5 **definitions.** (2) In addition to the county-specific functions set forth in
6 subsection (1) of this section, the department of personnel shall take such
7 steps as are necessary to fully implement a central state motor vehicle
8 fleet system by January 1, 1993. The provisions of the motor vehicle fleet
9 system created pursuant to this subsection (2) shall apply to the executive
10 branch of the state of Colorado, its departments, its institutions, and its
11 agencies; except that the governing board of each institution of higher
12 education, by formal action of the board, and the Colorado commission
13 on higher education, by formal action of the commission, may elect to be
14 exempt from the provisions of this subsection (2) and may obtain a motor
15 vehicle fleet system independent of the state motor vehicle fleet system.
16 Under the direction of the executive director, the department of personnel
17 shall perform the following functions pertaining to the motor vehicle fleet
18 system throughout the state:

19 (c) (II) By January 1, 2008, the executive director shall adopt a

1 policy to significantly increase the utilization of alternative fuels and that
2 establishes increasing utilization objectives for each following year. To
3 encourage compliance with this policy, the rules promulgated pursuant to
4 this paragraph (c) may establish progressively more stringent percentage
5 mileposts and, ~~shall~~, for fiscal years commencing after July 1, 2004,
6 require the collection of data concerning the annual percentage of
7 state-owned bi-fueled vehicles that were fueled exclusively with an
8 alternative fuel. For the years commencing on January 1, 2008, and
9 January 1, 2009, the executive director shall purchase flexible fuel
10 vehicles or hybrid vehicles, subject to availability, unless the increased
11 cost of such vehicle is more than ten percent over the cost of a
12 comparable ~~nonflexible~~ DEDICATED PETROLEUM fuel vehicle. Beginning
13 on January 1, 2010, the executive director shall purchase motor vehicles
14 that operate on compressed natural gas OR OTHER ALTERNATIVE FUELS,
15 subject to their availability and the availability of adequate fuel and
16 fueling infrastructure, ~~unless~~ IF EITHER the increased base cost of such
17 vehicle or the increased life-cycle cost of such vehicle is NOT more than
18 ten percent over the cost of a comparable ~~nonflexible~~ DEDICATED
19 PETROLEUM fuel vehicle. ~~If the executive director does not purchase a~~
20 ~~motor vehicle that operates on compressed natural gas because of its cost,~~
21 ~~he or she shall purchase another type of flexible fuel vehicle or a hybrid~~
22 ~~vehicle, subject to availability, unless the increased cost of such vehicle~~
23 ~~is more than ten percent over the cost of a comparable nonflexible fuel~~
24 ~~vehicle.~~ The executive director shall adopt a policy to allow some
25 vehicles to be exempted from this requirement. During the second regular
26 session of the sixty-seventh general assembly in 2010, The executive
27 director OR THE DIRECTOR'S DESIGNEE shall SUBMIT AN ANNUAL report

1 ~~simultaneously to the transportation committee~~ COMMITTEES of the senate
2 and the ~~transportation and energy committee of the~~ house of
3 representatives, or any successor committees, AND THE JOINT BUDGET
4 COMMITTEE OF THE GENERAL ASSEMBLY, detailing the ~~key financial~~
5 ~~decision points and analysis that led to the executive director's~~
6 ~~determination to purchase or decline to purchase motor vehicles that~~
7 ~~operate on natural gas as required by this subparagraph (H)~~ ITEMS
8 SPECIFIED IN SUBPARAGRAPH (V) OF THIS PARAGRAPH (c). As used in this
9 subparagraph (II):

10 (V) ON OR BEFORE NOVEMBER 1, 2013, AND EACH NOVEMBER 1
11 THEREAFTER, THE EXECUTIVE DIRECTOR OR THE DIRECTOR'S DESIGNEE
12 SHALL SUBMIT A REPORT TO THE GENERAL ASSEMBLY AS SPECIFIED IN
13 SUBPARAGRAPH (II) OF THIS PARAGRAPH (c). THE REPORT MUST INCLUDE,
14 BUT NEED NOT BE LIMITED TO, THE FOLLOWING:

15 (A) THE NUMBER OF VEHICLES THAT THE EXECUTIVE DIRECTOR OR
16 THE DIRECTOR'S DESIGNEE PURCHASED SINCE JANUARY 1, 2008, FOR THE
17 MOTOR VEHICLE FLEET SYSTEM THAT OPERATE ON COMPRESSED NATURAL
18 GAS AND OTHER ALTERNATIVE FUELS;

19 (B) AN ESTIMATE OF THE NUMBER OF DEDICATED PETROLEUM
20 FUEL VEHICLES THAT THE EXECUTIVE DIRECTOR OR THE DIRECTOR'S
21 DESIGNEE PURCHASED FOR THE MOTOR VEHICLE FLEET SYSTEM SINCE
22 JANUARY 1, 2008, INSTEAD OF A VEHICLE THAT OPERATES ON
23 COMPRESSED NATURAL GAS OR OTHER ALTERNATIVE FUEL BECAUSE THE
24 BASE COST OR LIFE-CYCLE COST OF THE COMPRESSED NATURAL GAS
25 VEHICLE OR OTHER ALTERNATIVE FUEL VEHICLE WAS MORE THAN TEN
26 PERCENT OVER THE COST OF A COMPARABLE DEDICATED PETROLEUM FUEL
27 VEHICLE;

1 (C) AN EXPLANATION OF THE AVAILABILITY OF ADEQUATE FUEL
2 AND FUELING INFRASTRUCTURE IN THE STATE FOR COMPRESSED NATURAL
3 GAS VEHICLES AND OTHER ALTERNATIVE FUEL VEHICLES AND WHETHER
4 LIMITED AVAILABILITY OF FUEL OR FUELING INFRASTRUCTURE
5 CONTRIBUTES TO THE PURCHASE OF DEDICATED PETROLEUM FUEL
6 VEHICLES FOR THE MOTOR VEHICLE FLEET SYSTEM INSTEAD OF VEHICLES
7 THAT OPERATE ON COMPRESSED NATURAL GAS AND OTHER ALTERNATIVE
8 FUELS;

9 (D) A SUMMARY OF THE POLICY THAT ALLOWS THE EXECUTIVE
10 DIRECTOR TO EXEMPT SOME VEHICLES FROM THE REQUIREMENT TO
11 PURCHASE VEHICLES THAT OPERATE ON COMPRESSED NATURAL GAS AND
12 THE PERCENTAGE OF DEDICATED PETROLEUM FUEL VEHICLES THAT THE
13 DIRECTOR PURCHASED PURSUANT TO THIS EXEMPTION;

14 (E) A SUMMARY OF THE ADMINISTRATIVE PROCEDURES OR
15 POLICIES IN PLACE WITHIN THE DEPARTMENT, IF ANY, THAT ARE INTENDED
16 TO FACILITATE THE PURCHASE OF VEHICLES THAT OPERATE ON
17 COMPRESSED NATURAL GAS AND OTHER ALTERNATIVE FUELS;

18 (F) THE EXECUTIVE DIRECTOR'S SUGGESTED CHANGES TO THE
19 REQUIREMENTS AND LIMITATIONS OF SUBPARAGRAPH (II) OF THIS
20 PARAGRAPH (c) OR OTHER STATE LAW THAT WOULD FACILITATE THE
21 GRADUAL CONVERSION OF THE MOTOR VEHICLE FLEET SYSTEM TO
22 VEHICLES THAT OPERATE ON COMPRESSED NATURAL GAS AND OTHER
23 ALTERNATIVE FUELS, ALLOW THE STATE TO ACCOUNT FOR THE BENEFIT OF
24 REDUCED EMISSIONS FROM VEHICLES THAT OPERATE ON COMPRESSED
25 NATURAL GAS AND OTHER ALTERNATIVE FUELS IN ITS ANALYSIS
26 REGARDING THE PURCHASE OF SUCH VEHICLES, AND ENABLE THE
27 DEPARTMENT TO PROVIDE THE BEST VALUE TO THE STATE IN THE MOTOR

1 VEHICLE FLEET SYSTEM WHILE PURCHASING VEHICLES THAT OPERATE ON
2 COMPRESSED NATURAL GAS AND OTHER ALTERNATIVE FUELS; AND

3 (G) A PLAN FOR PUTTING IN PLACE THE INFRASTRUCTURE
4 NECESSARY TO SUPPORT VEHICLES IN THE STATE'S MOTOR VEHICLE FLEET
5 SYSTEM THAT OPERATE ON COMPRESSED NATURAL GAS AND OTHER
6 ALTERNATIVE FUELS.

7 **SECTION 2. Safety clause.** The general assembly hereby finds,
8 determines, and declares that this act is necessary for the immediate
9 preservation of the public peace, health, and safety.