

Second Regular Session
Sixty-fifth General Assembly
STATE OF COLORADO

ENGROSSED

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

LLS NO. 06-0156.01 Karen Epps

SENATE BILL 06-016

SENATE SPONSORSHIP

Entz, Fitz-Gerald, Kester, and Shaffer

HOUSE SPONSORSHIP

Rose, Gallegos, Gardner, and Hodge

Senate Committees
Transportation

House Committees

A BILL FOR AN ACT

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

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Interim Committee on Rural Economic Development Issues.

Requires the executive director of the department of personnel to establish a policy by January 1, 2007, requiring all state-owned diesel vehicles and equipment to use a fuel blend of 20% biodiesel and 80% petroleum diesel subject to availability, and to provide for proper administration, implementation, and enforcement of the policy.

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
Amended 2nd Reading
January 31, 2006

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

2 **SECTION 1.** The introductory portion to 24-30-1104 (2) and
3 24-30-1104 (2) (c) (III), Colorado Revised Statutes, are amended, and the
4 said 24-30-1104 (2) (c) is further amended BY THE ADDITION OF A
5 NEW SUBPARAGRAPH, to read:

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

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

22 (A) "Alternative fuel" has the meaning established in section
23 25-7-106.8, C.R.S.

24 (B) "Bi-fueled vehicle" means a motor vehicle, which may be
25 purchased to comply with applicable federal requirements including, but
26 not limited to, the federal "Energy Policy Act of 1992", 42 U.S.C. sec.

1 13257, and 42 U.S.C. sec. 7587, that can operate on both an alternative
2 fuel and a traditional fuel or that can operate alternately on a traditional
3 fuel and an alternative fuel.

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

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

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

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

27 **SECTION 3. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.