

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 457

Short Title: Add Definition of Biodiesel. (Public)

Sponsors: Senators Snow; Atwater, Berger of Franklin, Brunstetter, Hoyle, McKissick,
and Tillman.

Referred to: Agriculture/Environment/Natural Resources.

March 9, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO ADD THE DEFINITION OF BIODIESEL TO THE ENERGY CREDIT
3 BANKING AND SELLING PROGRAM FOR THE QUALITY AND SAFETY OF
4 MOTORISTS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 143-58.4(a) reads as rewritten:

7 "(a) ~~As used in this section:~~ The following definitions apply in this section:

- 8 (1) ~~"AFV" means a~~AFV. – A hybrid electric vehicle that derives its
9 transportation energy from gasoline and electricity. AFV also means an
10 original equipment manufactured vehicle that operates on compressed
11 natural gas, propane, or electricity.
- 12 (2) ~~"Alternative fuel" means biodiesel,~~Alternative fuel. – Biodiesel, ethanol,
13 compressed natural gas, propane, and electricity used as a transportation fuel
14 in blends or in a manner as defined by the Energy Policy Act.
- 15 (3) ~~"B-20" means a~~B-20. – A blend of twenty percent (20%) by volume
16 biodiesel fuel and eighty percent (80%) by volume petroleum-based diesel
17 fuel.
- 18 (3a) Biodiesel. – A fuel comprised of mono-alkyl esters of long fatty acids
19 derived from vegetable oils or animal fats, designated B100 and meeting the
20 requirements of the American Society for Testing and Materials (ASTM)
21 D-6751. The term also includes blends of biodiesel with petroleum-based
22 diesel fuel, designated BXX where XX represents the percentage of volume
23 of fuel in the blend meeting the requirements of ASTM D-6751.
- 24 (4) ~~"Department" means the~~Department. – The Department of Administration.
- 25 (5) ~~"Energy Policy Act" means the~~Energy Policy Act. – The federal Energy
26 Policy Act of 1992, Pub. L. No. 102-486, 106 Stat. 2782, 42 U.S.C. § 13201,
27 et seq.
- 28 (6) ~~"EPA credit" means a~~EPA credit. – A credit issued pursuant to the
29 Energy Policy Act.
- 30 (7) ~~"E-85" means a~~E-85. – A blend of eighty-five percent (85%) by volume
31 ethanol and fifteen percent (15%) by volume gasoline.
- 32 (8) ~~"Incremental fuel cost" means the~~Incremental fuel cost. – The difference in
33 cost between an alternative fuel and conventional petroleum fuel at the time
34 the fuel is purchased.
- 35 (9) ~~"Incremental vehicle cost" means the~~Incremental vehicle cost. – The
36 difference in cost between an AFV and conventional vehicle of the same



1 make and model. For vehicles with no comparable conventional model,
2 incremental vehicle cost means the generally accepted difference in cost
3 between an AFV and a similar conventional model."
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SECTION 2. This act becomes effective July 1, 2009.