

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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SENATE BILL 457  
Finance Committee Substitute Adopted 5/6/09

Short Title: Add Definition of Biodiesel.

(Public)

Sponsors:

Referred to:

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 AND TO MAKE A CONFORMING CHANGE TO THE ALTERNATIVE  
5 FUEL REVOLVING FUND.

6 The General Assembly of North Carolina enacts:

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

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

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



1           (9) ~~"Incremental vehicle cost" means the~~Incremental vehicle cost. – The  
2           difference in cost between an AFV and conventional vehicle of the same  
3           make and model. For vehicles with no comparable conventional model,  
4           incremental vehicle cost means the generally accepted difference in cost  
5           between an AFV and a similar conventional model."

6           **SECTION 2.** G.S. 143-58.5(c) reads as rewritten:

7           "(c) The Fund shall be used to offset the incremental fuel cost of biodiesel and biodiesel  
8           blend fuel with a minimum biodiesel concentration of B-20 for use in State vehicles, for the  
9           purchase of ethanol fuel with a minimum ethanol concentration of E-85 for use in State  
10          vehicles, the incremental vehicle cost of purchasing AFVs, for the development of related  
11          refueling infrastructure, for the costs of administering the Fund, and for projects approved by  
12          the Energy Policy Council."

13          **SECTION 3.** This act becomes effective July 1, 2009.