

By Representative Gay

1                                   A bill to be entitled  
2           An act relating to alternative fuel vehicles;  
3           creating the "Florida Clean Fuel Act;"  
4           providing purposes; providing definitions;  
5           establishing the Clean Fuel Florida Advisory  
6           Board; specifying membership; providing  
7           purposes of the board; providing for meetings  
8           and duties of the board; requiring a report  
9           containing recommendations for pilot programs;  
10          requiring a report to the Legislature;  
11          requiring a budget; providing an effective  
12          date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

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16           Section 1. Short title and purpose.--

17           (1) This act may be cited as the "Florida Clean Fuel  
18 Act."

19           (2) The purposes of this act are to establish the  
20 Clean Fuel Florida Advisory Board under the Department of  
21 Community Affairs to study the implementation of alternative  
22 fuel vehicles and to formulate and provide to the Secretary of  
23 Community Affairs recommendations on expanding the use of  
24 alternative fuel vehicles in this state and make funding  
25 available for implementation.

26           Section 2. Definitions.--For purposes of this act:

27           (1) "Alternative fuels" include electricity,  
28 biodiesel, natural gas, propane, and any other fuel that may  
29 be deemed appropriate in the future by the Department of  
30 Community Affairs with guidance from the Clean Fuel Florida  
31 Advisory Board.

1           (2) "Alternative fuel vehicles" include on-road and  
2 off-road transportation vehicles and light-duty, medium-duty,  
3 and heavy-duty vehicles that are powered by an alternative  
4 fuel or a combination of alternative fuels.

5           Section 3. Clean Fuel Florida Advisory Board  
6 established; membership; duties and responsibilities.--

7           (1) The Clean Fuel Florida Advisory Board is  
8 established within the Department of Community Affairs.

9           (2)(a) The advisory board shall consist of the  
10 Secretary of Community Affairs, or a designee from that  
11 department, the Secretary of Environmental Protection, or a  
12 designee from that department, the Secretary of Education, or  
13 a designee from that department, the Secretary of  
14 Transportation, or a designee from that department, the  
15 Commissioner of Agriculture, or a designee from the department  
16 of Agriculture and Consumer Services, the Secretary of  
17 Management Services, or a designee from that department, and a  
18 representative of each of the following, who shall be  
19 appointed by the Secretary of Community Affairs within 30 days  
20 after the effective date of this act:

- 21           1. The Florida biodiesel industry.
- 22           2. The Florida electric utility industry.
- 23           3. The Florida natural gas industry.
- 24           4. The Florida propane gas industry.
- 25           5. An automobile manufacturers' association.
- 26           6. A Florida Clean Cities Coalition designated by the  
27 United States Department of Energy.
- 28           7. Enterprise Florida, Inc.
- 29           8. EV Ready Broward.
- 30           9. The Florida petroleum industry.
- 31           10. The Florida League of Cities.

- 1           11. The Florida Association of Counties.  
2           12. Floridians for Better Transportation.  
3           13. A motor vehicle manufacturer.  
4           14. Florida Local Environment Resource Agencies.  
5           (b) The purpose of the advisory board is to serve as a  
6 resource for the department and to provide the Governor, the  
7 Legislature, and the Secretary of Community Affairs with  
8 private sector and other public agency perspectives on  
9 achieving the goal of increasing the use of alternative fuel  
10 vehicles in this state.  
11           (c) Members shall be appointed to serve terms of one  
12 year each, with reappointment at the discretion of the  
13 Secretary of Community Affairs. Vacancies shall be filled for  
14 the remainder of the unexpired term in the same manner as the  
15 original appointment.  
16           (d) The board shall annually select a chairperson.  
17           (e)1. The board shall meet at least once each quarter  
18 or more often at the call of the chairperson or the Secretary  
19 of Community Affairs.  
20           2. Meetings are exempt from the notice requirements of  
21 chapter 120, Florida Statutes, and sufficient notice shall be  
22 given to afford interested persons reasonable notice under the  
23 circumstances.  
24           (f) Members of the board are entitled to travel  
25 expenses while engaged in the performance of board duties.  
26           (g) The board shall terminate 5 years after the  
27 effective date of this act.  
28           (3) The board shall review the performance of the  
29 state with reference to alternative fuel vehicle  
30 implementation in complying with federal laws and maximizing  
31 available federal funding and may:

1           (a) Advise the Governor, Legislature, and the  
2 Secretary of Community Affairs and make recommendations  
3 regarding implementation and use of alternative fuel vehicles  
4 in this state.

5           (b) Identify potential improvements in this act and  
6 the state's alternative fuel policies.

7           (c) Request from all state agencies any information  
8 the board determines relevant to board duties.

9           (d) Regularly report to the Secretary of Community  
10 Affairs, the Governor, the President of the Senate, and the  
11 Speaker of the House of Representatives regarding the board's  
12 findings and recommendations.

13           (4)(a) The advisory board shall, within 90 days after  
14 its first meeting, make recommendations to the Department of  
15 Community Affairs for establishing pilot programs in this  
16 state that provide experience and support the best use  
17 expansion of the alternative fuel vehicle industry in this  
18 state. No funds shall be released for a project unless there  
19 is at least a 50 percent private or local match.

20           (b) In addition to the pilot programs, the advisory  
21 board shall assess federal, state, and local initiatives to  
22 identify incentives that encourage successful alternative fuel  
23 vehicle programs, obstacles to alternative fuel vehicle use  
24 including legislative, regulatory, and economic obstacles, and  
25 programs that educate and inform the public about alternative  
26 fuel vehicles.

27           (c) The advisory board is charged with determining a  
28 reasonable, fair, and equitable way to address current motor  
29 fuel taxes as they apply to alternative fuels and at what  
30 threshold of market penetration.

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1       (d) Based on its findings, the advisory board shall  
2 develop recommendations to the Legislature on future  
3 alternative fuel vehicle programs and legislative changes that  
4 provide the best use of state and other resources to enhance  
5 the alternative fuel vehicle market in this state and maximize  
6 the return on that investment in terms of job creation,  
7 economic development, and emissions reduction.

8       (5) The advisory board, working with the Department of  
9 Community Affairs, shall develop a budget for the department's  
10 approval and all expenditures shall be approved by the  
11 department. At the conclusion of the first year, the  
12 department shall conduct an audit of the board and board  
13 programs.

14             Section 4. This act shall take effect upon becoming a  
15 law.

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18                                     HOUSE SUMMARY

19             Creates the "Florida Clean Fuel Act" and establishes the  
20 Clean Fuel Florida Advisory Board to develop  
21 recommendations for establishing pilot programs for  
22 expanding the alternative fuel vehicle industry in this  
23 state. See bill for details.