

By Senator Lee

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A bill to be entitled  
An act relating to alternative fuel vehicles;  
creating the "Florida Clean Fuel Act";  
providing purposes; providing definitions;  
establishing the Clean Fuel Florida Advisory  
Board; specifying membership; requiring a  
report containing recommendations for pilot  
programs; requiring a report to the  
Legislature; requiring a budget; providing  
effective dates.

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

Section 1. Short title and purpose.--

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

(2) The purpose of this act is to establish the Clean Fuel Florida Advisory Board within the Department of Community Affairs to study the implementation of alternative fuel vehicles in order to formulate and provide to the Secretary of Community Affairs recommendations on expanding the use of alternative fuel vehicles in this state.

Section 2. Definitions.--As used in this act, the term:

(1) "Alternative fuels" means electricity, biodiesel, natural gas, propane, and any other fuel that is determined to be appropriate by the Department of Community Affairs with guidance from the Clean Fuel Florida Advisory Board.

(2) "Alternative fuel vehicles" means on-road and off-road transportation vehicles and light-duty, medium-duty,

1 and heavy-duty vehicles that are powered by an alternative  
2 fuel or a combination of alternative fuels.

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

5 (1) There is created within the Department of  
6 Community Services the Clean Fuel Florida Advisory Board.

7 (2)(a) Within 30 days after the effective date of this  
8 act, the Secretary of Community Affairs shall appoint members  
9 of the Clean Fuel Florida Advisory Board.

10 (b) The board shall consist of:

11 1. The Secretary of Community Affairs, or his or her  
12 designee.

13 2. The Secretary of Environmental Protection, or his  
14 or her designee.

15 3. The Commissioner of Education, or his or her  
16 designee.

17 4. The Secretary of Transportation, or his or her  
18 designee.

19 5. The Commissioner of Agriculture or his or her  
20 designee.

21 6. The Secretary of Management Services, or his or her  
22 designee.

23 7. A representative of:

24 a. The biodiesel industry.

25 b. The electric utility industry.

26 c. The natural gas industry.

27 d. The propane gas industry.

28 e. An automobile manufacturing association.

29 f. A United States Department of Energy-designated  
30 Florida Clean Cities Coalition.

31 g. Enterprise Florida, Inc.

1           h. EV Ready Broward.  
2           i. The petroleum industry.  
3           j. The Florida League of Cities.  
4           k. The Florida Association of Counties.  
5           l. Floridians for Better Transportation.  
6           m. Motor vehicle manufacturers.  
7           n. Local environmental resource agencies.  
8           (4) The purpose of the board is to serve as a resource  
9 for the Department of Community Affairs and to provide the  
10 Governor, the Legislature, and the Secretary of Community  
11 Affairs with private-sector and other public-agency  
12 perspectives on achieving the goal of increasing the use of  
13 alternative fuel vehicles in this state.  
14           (5) Members shall be appointed to serve terms of 1  
15 year each, with reappointment at the discretion of the  
16 secretary. Vacancies are to be filled for the unexpired  
17 portion of the term.  
18           (6) The board shall annually select a chairman.  
19           (7)(a) The board shall meet at least once each quarter  
20 or more often at the call of the chairman or secretary.  
21           (b) Meetings are exempt from the notice provision of  
22 chapter 120, Florida Statutes, and reasonable notice must be  
23 given to apprise interested persons of the meetings.  
24           (c) The members of the board are entitled to travel  
25 expenses while engaged in the performance of their duties.  
26           (d) The board is terminated on July 1, 2004.  
27           (8) The board shall review the performance of the  
28 state with reference to alternative fuel vehicles  
29 implementation in complying with federal statutes and  
30 maximizing available federal funding, and may:  
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1           (a) Advise the Governor, Legislature, and Secretary of  
2 Community Affairs regarding recommendations on the  
3 implementation and use of alternative fuel vehicles in the  
4 state.

5           (b) Identify potential improvements to the state's  
6 alternative fuel policies.

7           (c) Request from all state agencies any information  
8 that the board determines relevant to its 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 its findings  
12 and recommendations.

13           (9)(a) Board members shall, within 90 days after their  
14 first meeting, make recommendations to the Department of  
15 Community Affairs for establishing pilot programs in this  
16 state which provide experience and support the best-use  
17 expansion of the alternative fuel vehicle industry in this  
18 state. Funds may not be released for a project unless there is  
19 at least a 50-percent private or local match.

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

27           (c) The board shall determine a reasonable way to  
28 address current motor fuel taxes as they apply to alternative  
29 fuels and at what threshold of market penetration.

30           (d) Based on its findings, the board shall provide  
31 recommendations to the Legislature on future alternative fuel

1 vehicle programs and legislative changes that will provide the  
2 best use of state and other resources to enhance the  
3 alternative fuel vehicle market in this state and maximize the  
4 return on that investment with respect to job creation,  
5 economic development, and emissions reduction.

6 (9) The board, working with the Department of  
7 Community Affairs, shall develop a budget in support of its  
8 work, and all expenditures must be approved by the department.  
9 At the conclusion of the first year, the department shall  
10 conduct an audit of the board and its programs.

11 Section 4. At least 60 percent of the funds provided  
12 for in Specific Appropriation No. \_\_\_\_\_ must be used to  
13 increase the use of alternative fuel vehicles by local  
14 governments, businesses, and individuals under the guidance of  
15 the Clean Fuel Florida Advisory Board. Funds may not be  
16 released for a project except through a board grant process  
17 requiring at least 50 percent in matching local or private  
18 funds. Priority must be given to projects that promote the use  
19 of alternative fuels in community policing programs, at  
20 airports and in bus projects, which maximize the availability  
21 of federal funds. Advisory Board program support expenditures  
22 are not to exceed \$150,000 in the first year.

23 Section 5. This act shall take effect upon becoming a  
24 law.

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27 SENATE SUMMARY

28 Creates the "Florida Clean Fuel Act." Establishes the  
29 Clean Fuel Florida Advisory Board within the Department  
30 of Community Affairs to study the implementation of  
31 alternative fuel vehicles and to provide recommendations  
on expanding the use of alternative fuel vehicles in this  
state. Provides membership of the board. Requires a  
report containing recommendations for pilot programs.  
Requires a budget.