

By the Committee on Transportation; and Senator Sebesta

306-2055A-02

1 A bill to be entitled
 2 An act relating to alternative fuels; amending
 3 s. 403.42, F.S.; revising the responsibilities
 4 of the Clean Fuel Florida Advisory Board and
 5 providing for its termination; providing an
 6 appropriation; providing an effective date.

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

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 10 Section 1. Subsection (3) of section 403.42, Florida
 11 Statutes, is amended to read:

12 403.42 Florida Clean Fuel Act.--

13 (3) CLEAN FUEL FLORIDA ADVISORY BOARD ESTABLISHED;
 14 MEMBERSHIP; DUTIES AND RESPONSIBILITIES.--

15 (a) The Clean Fuel Florida Advisory Board is
 16 established within the Department of Community Affairs.

17 (b)1. The advisory board shall consist of the
 18 Secretary of Community Affairs, or a designee from that
 19 department, the Secretary of Environmental Protection, or a
 20 designee from that department, the Commissioner of Education,
 21 or a designee from that department, the Secretary of
 22 Transportation, or a designee from that department, the
 23 Commissioner of Agriculture, or a designee from the Department
 24 of Agriculture and Consumer Services, the Secretary of
 25 Management Services, or a designee from that department, and a
 26 representative of each of the following, who shall be
 27 appointed by the Secretary of Community Affairs within 30 days
 28 after the effective date of this act:

- 29 a. The Florida biodiesel industry.
- 30 b. The Florida electric utility industry.
- 31 c. The Florida natural gas industry.

- 1 d. The Florida propane gas industry.
2 e. An automobile manufacturers' association.
3 f. A Florida Clean Cities Coalition designated by the
4 United States Department of Energy.
5 g. Enterprise Florida, Inc.
6 h. EV Ready Broward.
7 i. The Florida petroleum industry.
8 j. The Florida League of Cities.
9 k. The Florida Association of Counties.
10 l. Floridians for Better Transportation.
11 m. A motor vehicle manufacturer.
12 n. Florida Local Environment Resource Agencies.
13 o. Project for an Energy Efficient Florida.
14 p. Florida Transportation Builders Association.
15 2. The purpose of the advisory board is to serve as a
16 resource for the department and to provide the Governor, the
17 Legislature, and the Secretary of Community Affairs with
18 private sector and other public agency perspectives on
19 achieving the goal of increasing the use of alternative fuel
20 vehicles in this state.
21 3. Members shall be appointed to serve terms of 1 year
22 each, with reappointment at the discretion of the Secretary of
23 Community Affairs. Vacancies shall be filled for the remainder
24 of the unexpired term in the same manner as the original
25 appointment.
26 4. The board shall annually select a chairperson.
27 5.a. The board shall meet at least once each quarter
28 or more often at the call of the chairperson or the Secretary
29 of Community Affairs.
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1 b. Meetings are exempt from the notice requirements of
2 chapter 120, and sufficient notice shall be given to afford
3 interested persons reasonable notice under the circumstances.

4 6. Members of the board are entitled to travel
5 expenses while engaged in the performance of board duties.

6 7. The board shall terminate on July 1, 2004 ~~5 years~~
7 ~~after the effective date of this act.~~

8 (c) The board shall review the performance of the
9 state with reference to alternative fuel vehicle
10 implementation in complying with federal laws and maximizing
11 available federal funding and may:

12 1. Advise the Governor, Legislature, and the Secretary
13 of Community Affairs and make recommendations regarding
14 implementation and use of alternative fuel vehicles in this
15 state.

16 2. Identify potential improvements in this act and the
17 state's alternative fuel policies.

18 3. Request from all state agencies any information the
19 board determines relevant to board duties.

20 4. Regularly report to the Secretary of Community
21 Affairs, the Governor, the President of the Senate, and the
22 Speaker of the House of Representatives regarding the board's
23 findings and recommendations.

24 (d)~~i~~. The advisory board shall, by January 1, 2003
25 ~~within 120 days after its first meeting~~, make recommendations
26 to the Department of Community Affairs, the Governor, and the
27 Legislature regarding:

28 1. The impact of emerging transportation technologies,
29 including, but not limited to, hybrid vehicles, fuel cells,
30 and hydrogen fuels, on state transportation revenues derived
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1 from motor fuel taxes as a result of improved fuel
2 efficiencies and increased use of alternative fuels.

3 2. The impact of emerging transportation technologies
4 on transportation infrastructure such as, but not limited to,
5 fuel distribution, refueling infrastructure, and technology
6 and training needs, especially with regard to the pending
7 impact of fuel cell technology on transportation and energy.

8 3. The development of emerging transportation
9 technologies and their potential for impact on this state's
10 investment in transportation.

11 4. The projected costs of an alternative fuel vehicle
12 incentive program.~~for establishing pilot programs in this~~
13 ~~state that provide experience and support the best use~~
14 ~~expansion of the alternative fuel vehicle industry in this~~
15 ~~state. No funds shall be released for a project unless there~~
16 ~~is at least a 50-percent private or local match.~~

17 ~~2. In addition to the pilot programs, the advisory~~
18 ~~board shall assess federal, state, and local initiatives to~~
19 ~~identify incentives that encourage successful alternative fuel~~
20 ~~vehicle programs; obstacles to alternative fuel vehicle use~~
21 ~~including legislative, regulatory, and economic obstacles; and~~
22 ~~programs that educate and inform the public about alternative~~
23 ~~fuel vehicles.~~

24 ~~3. The advisory board is charged with determining a~~
25 ~~reasonable, fair, and equitable way to address current motor~~
26 ~~fuel taxes as they apply to alternative fuels and at what~~
27 ~~threshold of market penetration.~~

28 ~~4. Based on its findings, the advisory board shall~~
29 ~~develop recommendations to the Legislature on future~~
30 ~~alternative fuel vehicle programs and legislative changes that~~
31 ~~provide the best use of state and other resources to enhance~~

1 ~~the alternative fuel vehicle market in this state and maximize~~
2 ~~the return on that investment in terms of job creation,~~
3 ~~economic development, and emissions reduction.~~

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

10 Section 2. The sum of \$50,000 is appropriated to the
11 Center for Urban Transportation Research for the purpose of
12 assisting the Clean Fuel Florida Advisory Board in the
13 preparation of the report provided in section 403.42(3)(d),
14 Florida Statutes. The Department of Transportation shall
15 assist the advisory board by sharing any relevant studies to
16 prevent the duplication of effort.

17 Section 3. This act shall take effect July 1, 2002.
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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 1664

This CS would require the Clean Fuel Florida Advisory Board to report to the Department of Community Affairs, the Governor and the Legislature by January 1, 2003 regarding:

1. The impact of emerging transportation technologies on state transportation revenues derived from motor fuel taxes;
2. The impact of emerging transportation technologies on transportation infrastructure such as fuel distribution and refueling infrastructure;
3. The development of emerging transportation technologies and their potential for impact on this state's investment in transportation; and
4. The projected costs of an alternative fuel vehicle incentive program.

The Center for Urban Transportation Research is appropriated \$50,000 to assist in the study; the Department of Transportation is required to assist in the study to avoid any duplication of effort.