

1 A bill to be entitled
 2 An act relating to diesel fuel; providing legislative
 3 findings; providing a definition; requiring that all
 4 diesel fuel sold or offered for sale in the state for use
 5 in internal combustion engines have a certain percentage
 6 of biodiesel content; providing an effective date for the
 7 minimum content requirement; providing exceptions;
 8 requiring refineries and terminals to provide certain
 9 documentation for the transfer or sale of biodiesel fuel;
 10 providing an effective date.

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

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 14 Section 1. (1) LEGISLATIVE FINDINGS.--The Legislature
 15 finds that it is vital to the public interest and to Florida's
 16 economy to establish a market for alternative fuels in the state
 17 by requiring that diesel fuel that is offered for sale in
 18 Florida includes renewable biodiesel fuel that meets applicable
 19 fuel quality standards. The Legislature finds that the use of
 20 biodiesel fuel reduces dependence on imports of foreign oil,
 21 improves the health and quality of life of Floridians, and
 22 stimulates the creation of a new industry that combines
 23 agricultural production with state-of-the-art technology.

24 (2) DEFINITIONS.--As used in this section, the term
 25 "biodiesel fuel" means a renewable, biodegradable, monoalkyl
 26 ester combustible liquid fuel derived from agricultural plants,
 27 oils, or animal fats that meets the American Society for Testing
 28 and Materials specification of D6751-02 for biodiesel fuel

29 "B100" blend stock for distillate fuels.

30 (3) MINIMUM CONTENT; RULES; EFFECTIVE DATE.--Effective
 31 [] days after the Commissioner of Agriculture publishes
 32 notice in the Florida Administrative Weekly that annual capacity
 33 in the state for the production of biodiesel fuel exceeds []
 34 gallons, all diesel fuel sold or offered for sale in the state
 35 for use in internal combustion engines must contain at least 5
 36 percent biodiesel fuel by volume.

37 (4) EXCEPTIONS.--Minimum diesel content requirements of
 38 this section do not apply to fuel used in motors located at an
 39 electric generating plant regulated by the Nuclear Regulatory
 40 Commission, unless the use of such fuel is otherwise approved by
 41 the Nuclear Regulatory Commission; railroad locomotives; or
 42 vehicles, equipment, and vessels with warranties that would be
 43 voided by the use of such fuel.

44 (5) DISCLOSURE.--A refinery or terminal shall provide, at
 45 the time diesel fuel is sold or transferred from the refinery or
 46 terminal, a bill of lading or shipping manifest to the person
 47 who receives the fuel. For biodiesel-blended products, the bill
 48 of lading or shipping manifest must disclose biodiesel content,
 49 stating volume percentage, gallons of biodiesel per gallons of
 50 petroleum diesel base-stock, or an ASTM "xx" designation where
 51 "xx" denotes the volume percentage of biodiesel included in the
 52 blended product. This subsection does not apply to sales or
 53 transfers of biodiesel blend stock between refineries, between
 54 terminals, or between a refinery and a terminal.

55 Section 2. This act shall take effect October 1, 2007.