

By Senator Atwater

25-638-07

1 A bill to be entitled

2 An act relating to the sale of biodiesel fuel;

3 providing legislative intent; defining the term

4 "biodiesel fuel"; requiring that diesel fuel

5 sold or offered for sale in this state contain

6 a specified minimum volume of biodiesel after

7 the Commissioner of Agriculture publishes

8 notice concerning biodiesel production

9 capacity; providing an exemption from such

10 requirement if the fuel is to be used in

11 certain equipment; providing for written

12 disclosure of biodiesel content of certain

13 diesel fuels sold or transferred from a

14 refinery or terminal; providing an exception to

15 such disclosure requirement; providing an

16 effective date.

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

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20 Section 1. Minimum content requirement for biodiesel

21 fuel.--

22 (1) The Legislature finds that it is vital to the

23 public interest and to the state's economy to establish a

24 market for alternative fuels in this state by requiring that

25 diesel fuel offered for sale in this state include renewable

26 biofuel meeting applicable standards for fuel quality. The

27 Legislature finds that the use of biodiesel fuel reduces

28 dependence on imports of foreign oil, improves the health and

29 quality of life for Floridians, and stimulates the creation of

30 a new industry that combines agricultural production with

31 state-of-the-art technology.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

1 (2) As used in this section, the term "biodiesel fuel"
2 means a renewable, biodegradable, mono-alkyl ester combustible
3 liquid fuel that is derived from agricultural plants, oils, or
4 animal fats and that meets specifications of the American
5 Society for Testing and Materials for biodiesel fuel B100
6 blend stock for distillate fuels, designation D6751-02.

7 (3) All diesel fuel sold or offered for sale in this
8 state for use in an internal combustion engine must contain,
9 at minimum, 5 percent biodiesel fuel by volume. This
10 subsection takes effect on the th day after the
11 Commissioner of Agriculture publishes notice in the Florida
12 Administrative Weekly indicating that the annual capacity for
13 the production of biodiesel fuel in this state exceeds
14 gallons.

15 (4) The requirements of subsection (3) do not apply if
16 fuel sold or offered for sale is to be used in:

17 (a) A motor at an electric power plant that is
18 regulated by the United States Nuclear Regulatory Commission
19 unless such commission has approved the use of fuel meeting
20 the requirements of subsection (3);

21 (b) A railroad locomotive; or

22 (c) Equipment, including a vehicle or vessel, covered
23 by a warranty that would be voided if it were to be operated
24 using fuel meeting the requirements of subsection (3).

25 (5) Each refinery and terminal shall provide, at the
26 time diesel fuel is sold or transferred from the refinery or
27 terminal, a bill of lading or shipping manifest to the person
28 receiving the fuel. For biodiesel-blended products, the bill
29 of lading or shipping manifest must disclose biodiesel
30 content, stating volume percentage, gallons of biodiesel per
31 gallons of petroleum diesel base-stock, or an ASTM "xx"

