

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Transportation

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BILL: SM 800

INTRODUCER: Senator Evers

SUBJECT: Renewable Fuel Standard

DATE: March 11, 2014

REVISED: \_\_\_\_\_

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	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Miranda</u>	<u>Eichin</u>	<u>TR</u>	<u>Pre-meeting</u>
2.	_____	_____	<u>EP</u>	_____

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**I. Summary:**

SM 800 urges Congress to repeal the Renewable Fuel Standard established under the Energy Independence and Security Act of 2007.

A memorial has no force of law; it is a mechanism for formally petitioning the U.S. Congress for action on a specific subject.

**II. Present Situation:**

The Renewable Fuel Standard (RFS) program was created under the Energy Policy Act (EPAct) of 2005, and established the first renewable fuel volume mandate in the United States, as required under EPAct, the original RFS program (RFS1) required 7.5 billion gallons of renewable fuel to be blended in gasoline by 2012. Under the Energy Independence and Security Act (EISA) of 2007, the RFS program was expanded in several key ways:

- RFS was expanded to include diesel;
- Increased the volume of renewable fuel required to be blended into transportation fuel from 9 billion gallons in 2008 to 36 billion gallons by 2022;
- New categories of renewable fuel were established and separate volume requirements were set for each one;
- Required EPA to apply lifecycle greenhouse gas performance threshold standards to ensure that each category of renewable fuel emits fewer greenhouse gases than the petroleum fuel it replaces.<sup>1</sup>

Under the Clean Air Act (CAA), as amended by the Energy Independence and Security Act (EISA) of 2007, the Environmental Protection Agency (EPA) is required to set the annual standards for the Renewable Fuel Standard Program (RFS) for each year. This regulatory action

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<sup>1</sup> See, United States Environmental Protection Agency, Fuels and Fuel Additives, Renewable Fuel Standard, <http://www.epa.gov/otaq/fuels/renewablefuels/index.htm> (last visited on 3/11/14)

proposes to establish the annual percentage standards for 2014 for cellulosic, biomass-based diesel, advanced biofuel, and total renewable fuels that apply to gasoline and diesel produced or imported in year 2014. EPA is also required to determine the applicable national volume of biomass-based diesel that will be required in 2015, as the statute does not specify the applicable volumes for years after 2012.<sup>2</sup>

Related facts are contained in the memorial's preamble.

### **III. Effect of Proposed Changes:**

Senate Memorial 800 urges Congress to repeal the Renewable Fuel Standard that was established under the Energy Independence and Security Act of 2007. Such an amendment would need to be proposed by a two-thirds vote of each House of Congress, and subsequently be ratified by three-fourths of the states.<sup>3</sup>

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

### **V. Fiscal Impact Statement:**

#### **A. Tax/Fee Issues:**

None.

#### **B. Private Sector Impact:**

None.

#### **C. Government Sector Impact:**

None.

### **VI. Technical Deficiencies:**

None.

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<sup>2</sup> Office of Transportation and Air Quality, EPA-420-F-13-048, November 2013, <http://www.epa.gov/otaq/fuels/renewablefuels/documents/420f13048.pdf> (last visited on 3/11/14)

<sup>3</sup> Art. V, U.S. CONST.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

None.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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