

6683

2011-2012 Regular Sessions

I N A S S E M B L Y

March 24, 2011

Introduced by M. of A. P. LOPEZ -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to exempting state owned heavy duty vehicles or heavy duty vehicles under contract with the state operating on biodiesel from the diesel emissions reduction act of 2006

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 1 of section 19-0323 of the environmental  
2 conservation law is amended by adding a new paragraph e to read as  
3 follows:

4 E. "BIODIESEL FUEL" MEANS A DIESEL MOTOR FUEL SUBSTITUTE PRODUCED FROM  
5 NONPETROLEUM RENEWABLE RESOURCES THAT MEETS THE REGISTRATION REQUIRE-  
6 MENTS FOR FUELS AND FUEL ADDITIVES ESTABLISHED BY THE ENVIRONMENTAL  
7 PROTECTION AGENCY UNDER SECTION 211 OF THE CLEAN AIR ACT (42 U.S.C.  
8 7545) AND THAT MEETS THE AMERICAN SOCIETY FOR TESTING AND MATERIALS  
9 D6751-02A STANDARD SPECIFICATION FOR BIODIESEL FUEL (B100) OR ANY DERIV-  
10 ATIVE THEREOF BLEND STOCK FOR DISTILLATE FUELS THAT HAS BEEN PURCHASED  
11 FROM A COMMERCIALY OWNED FUELING STATION, LICENSED AND OPERATED UNDER  
12 STANDARDS SET FORTH BY STATE LAW.

13 S 2. Section 19-0323 of the environmental conservation law is amended  
14 by adding a new subdivision 9 to read as follows:

15 9. ANY DIESEL POWERED HEAVY DUTY VEHICLE THAT IS OWNED BY, OPERATED BY  
16 OR ON BEHALF OF, OR LEASED BY A STATE AGENCY AND STATE AND REGIONAL  
17 PUBLIC AUTHORITY WHICH EXCLUSIVELY USES BIODIESEL FUEL AS DEFINED IN  
18 PARAGRAPH E OF SUBDIVISION ONE OF THIS SECTION SHALL BE EXEMPT FROM THE  
19 PROVISIONS OF SUBDIVISIONS TWO AND THREE OF THIS SECTION.

20 S 3. This act shall take effect on the one hundred eightieth day after  
21 it shall have become a law. Provided, however, that the commissioner of  
22 environmental conservation shall take any action necessary for the time-  
23 ly implementation of this act on or before the date on which it shall  
24 have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD10000-02-1