S T A T E O F N E W Y O R K

5737

2013-2014 Regular Sessions

I N A S S E M B L Y

March 6, 2013

Introduced by M. of A. P. LOPEZ, RAIA, OAKS, DUPREY, McKEVITT, CORWIN, CROUCH -- Multi-Sponsored by -- M. of A. McDONOUGH, McLAUGHLIN, STEC -- 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:

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

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

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

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

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

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

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