

House Bill 1655

By: Representatives Smith of the 129th, Post 2, Royal of the 140th, Hanner of the 133rd, O`Neal of the 117th, and Mosley of the 129th, Post 1

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 10 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
2 relating to contracts and purchases by public schools, so as to require the use of clean fuels
3 in certain vehicles operated by local school districts; to require the purchase or lease of
4 clean-fuel compatible motor vehicles in certain circumstances; to amend Chapter 60 of Title
5 36 of the Official Code of Georgia Annotated, relating to general provisions applicable to
6 counties and municipal corporations, so as to require the use of clean fuels in certain vehicles
7 operated by local governments; to require the purchase or lease of clean-fuel compatible
8 motor vehicles in certain circumstances; to amend Article 1 of Chapter 19 of Title 50 of the
9 Official Code of Georgia Annotated, relating to purchase and use of motor vehicles by state
10 government, so as to require the use of clean fuels in certain vehicles operated by state
11 government; to require the purchase or lease of clean-fuel compatible motor vehicles in
12 certain circumstances; to provide legislative findings and declarations; to repeal conflicting
13 laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

15 **SECTION 1.**

16 The General Assembly finds and declares as follows:

- 17 (1) Georgia currently consumes nearly 6.5 billion gallons of on-road gasoline and diesel
18 annually;
- 19 (2) Production is imported primarily from outside the United States and from nations
20 supporting terrorism;
- 21 (3) Georgia has the potential to create a biofuels industry that would serve as a model for
22 the south and thereby attract additional new industries;
- 23 (4) This biofuels industry could add over \$1 billion of economic activity to Georgia and
24 increase the state's income tax collections by over \$10 million annually;
- 25 (5) Nearly 500 direct and over 1,000 indirect jobs would be created by the Georgia
26 biofuels industry;

1 (6) Creating this industry will add additional value to Georgia's agricultural commodities
2 and support land values in rural Georgia; and

3 (7) Using biofuels as a replacement for fossil fuels will provide for a cleaner
4 environment by reducing water and air contamination.

5 SECTION 2.

6 Article 10 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
7 contracts and purchases by public schools, is amended by inserting a new Code section to
8 read as follows:

9 "20-2-504.1.

10 (a) As used in this Code section, the term 'clean fuel' means biodiesel fuel, compressed
11 natural gas, ethanol, hydrogen, liquefied natural gas, propane, or liquefied petroleum gas.

12 (b) On and after January 1, 2007, each local school district shall use clean fuel in any
13 motor vehicle it operates whenever such fuel is compatible with the technology of the
14 vehicle and is reasonably available at a cost similar to that of conventional fuel.

15 (c) On and after January 1, 2007, no local school district shall enter into any contract to
16 purchase or lease any motor vehicle that is not capable of being powered by clean fuel if
17 a motor vehicle capable of being powered by clean fuel is suitable for the intended use and
18 such motor vehicle is reasonably available at a cost similar to that of comparable
19 conventionally fueled vehicles."

20 SECTION 3.

21 Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general
22 provisions applicable to counties and municipal corporations, is amended by adding a new
23 Code section to read as follows:

24 "36-60-24.

25 (a) As used in this Code section, the term 'clean fuel' means biodiesel fuel, compressed
26 natural gas, ethanol, hydrogen, liquefied natural gas, propane, or liquefied petroleum gas.

27 (b) On and after January 1, 2007, each county and municipal corporation shall use clean
28 fuel in any motor vehicle it operates whenever such fuel is compatible with the technology
29 of the vehicle and is reasonably available at a cost similar to that of conventional fuel.

30 (c) On and after January 1, 2007, no county or municipal corporation shall enter into any
31 contract to purchase or lease any motor vehicle that is not capable of being powered by
32 clean fuel if a motor vehicle capable of being powered by clean fuel is suitable for the
33 intended use and such motor vehicle is reasonably available at a cost similar to that of
34 comparable conventionally fueled vehicles."

SECTION 4.

Article 1 of Chapter 19 of Title 50 of the Official Code of Georgia Annotated, relating to purchase and use of motor vehicles by state government, is amended by inserting a new Code section to read as follows:

"50-19-6.1.

(a) As used in this Code section, the term 'clean fuel' means biodiesel fuel, compressed natural gas, ethanol, hydrogen, liquefied natural gas, propane, or liquefied petroleum gas.

(b) On and after January 1, 2005, each department, institution, board, bureau, or agency of the state shall use clean fuel in any motor vehicle it operates whenever such fuel is compatible with the technology of the vehicle and is reasonably available at a cost similar to that of conventional fuel.

(c) On and after January 1, 2005, no department, institution, board, bureau, or agency of the state shall enter into any contract to purchase or lease any motor vehicle that is not capable of being powered by clean fuel if a motor vehicle capable of being powered by clean fuel is suitable for the intended use and such motor vehicle is reasonably available at a cost similar to that of comparable conventionally fueled vehicles."

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.