

The House Committee on State Planning and Community Affairs offers the following substitute to HB 541:

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 20 of the Official Code of Georgia Annotated, relating to education, Title 36
2 of the Official Code of Georgia Annotated, relating to local government, and Title 50 of the
3 Official Code of Georgia Annotated, relating to state government, so as to require the use of
4 clean and renewable fuels in vehicles or low-speed vehicles operated by certain government
5 entities under designated circumstances; to provide for legislative findings and declarations;
6 to provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 The General Assembly finds and declares as follows:

- 10 (1) Georgia currently consumes nearly 6.5 billion gallons of gasoline and diesel fuel
11 annually;
- 12 (2) Petroleum is imported primarily from outside the United States;
- 13 (3) Using clean alternative fuels instead of fossil fuels will provide for a cleaner
14 environment by reducing water and air contamination;
- 15 (4) In particular, the use of clean renewable fuels such as biodiesel and ethanol will
16 provide additional benefits for the State of Georgia;
- 17 (5) Georgia has the potential to create a biofuels industry that would serve as a model for
18 the South and thereby attract additional new industries;
- 19 (6) This biofuels industry could add over \$1 billion of economic growth to Georgia and
20 increase the state's income tax collections by over \$10 million annually;
- 21 (7) Nearly 500 direct and over 1,000 indirect jobs would be created by the Georgia
22 biofuels industry; and
- 23 (8) Creating this industry will add additional value to Georgia's agricultural and forestry
24 commodities, including biomass, and support land values in rural Georgia.

SECTION 2.

Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by inserting a new Code section to read as follows:

"20-2-504.1.

(a) As used in this Code section, the term:

(1) 'Biodiesel fuel' means fuel meeting the American Society for Testing and Materials specification with a minimum blend level of 2 percent.

(2) 'Clean renewable fuel' means biodiesel fuel and ethanol.

(3) 'Ethanol' means fuel meeting the American Society for Testing and Materials specification with a minimum blend level of 5 percent.

(4) 'Low-speed vehicle' means a low-speed vehicle as defined by Code Section 40-1-1.

(b) On and after January 1, 2008, each local school district shall use clean renewable fuel in any gasoline or diesel motor vehicle or equipment it operates whenever such fuel is compatible with the technology of the vehicle or equipment and is reasonably available at a cost equal to or less than that of conventional fuel. The use of biodiesel fuel made from Georgia feed stock or other Georgia products is encouraged whenever use by local school districts is reasonably possible.

(c) On and after January 1, 2008, no local school district shall enter into any contract to purchase or lease any motor vehicle that is not capable of being powered by clean renewable fuel, electricity, or other alternative fuel if a motor vehicle or low-speed vehicle capable of being powered by such a clean renewable fuel, electricity, or other alternative fuel is suitable for the intended use and such motor vehicle or low-speed vehicle is reasonably available at a cost equal to or less than that of comparable conventionally fueled vehicles."

SECTION 3.

Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended by inserting a new Code section to read as follows:

"36-60-25.

(a) As used in this Code section, the term:

(1) 'Biodiesel fuel' means fuel meeting the American Society for Testing and Materials specification with a minimum blend level of 2 percent.

(2) 'Clean renewable fuel' means biodiesel fuel and ethanol.

(3) 'Ethanol' means fuel meeting the American Society for Testing and Materials specification with a minimum blend level of 5 percent.

(4) 'Low-speed vehicle' means a low-speed vehicle as defined by Code Section 40-1-1.

1 (b) On and after January 1, 2008, each county and municipal corporation shall use clean
 2 renewable fuel in any gasoline or diesel motor vehicle or equipment it operates whenever
 3 such fuel is compatible with the technology of the vehicle or equipment and is reasonably
 4 available at a cost equal to or less than to that of conventional fuel. The use of biodiesel
 5 fuel made from Georgia feed stock or other Georgia products is encouraged whenever use
 6 by such entities is reasonably possible.

7 (c) On and after January 1, 2008, no county or municipal corporation shall enter into any
 8 contract to purchase or lease any motor vehicle that is not capable of being powered by
 9 clean renewable fuel, electricity, or other alternative fuel if a motor vehicle or low-speed
 10 vehicle capable of being powered by such a clean renewable fuel, electricity, or other
 11 alternative fuel is suitable for the intended use and such motor vehicle or low-speed vehicle
 12 is reasonably available at a cost equal to or less than that of comparable conventionally
 13 fueled vehicles."

14 **SECTION 4.**

15 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
 16 by inserting a new Code section to read as follows:

17 "50-19-6.1.

18 (a) As used in this Code section, the term:

19 (1) 'Biodiesel fuel' means fuel meeting the American Society for Testing and Materials
 20 specification with a minimum blend level of 2 percent.

21 (2) 'Clean renewable fuel' means biodiesel fuel and ethanol.

22 (3) 'Ethanol' means fuel meeting the American Society for Testing and Materials
 23 specification with a minimum blend level of 5 percent.

24 (4) 'Low-speed vehicle' means a low-speed vehicle as defined by Code Section 40-1-1.

25 (b) On and after January 1, 2008, each office, agency, department, board, bureau,
 26 commission, institution, authority, or other entity of this state shall use clean renewable
 27 fuel in any gasoline or diesel motor vehicle or equipment it operates whenever such fuel
 28 is compatible with the technology of the vehicle or equipment and is reasonably available
 29 at a cost equal to or less than that of conventional fuel. The use of biodiesel fuel made
 30 from Georgia feed stock or other Georgia products is encouraged whenever use by such
 31 entities is reasonably possible.

32 (c) On and after January 1, 2008, no office, agency, department, board, bureau,
 33 commission, institution, authority, or other entity of the state shall enter into any contract
 34 to purchase or lease any motor vehicle that is not capable of being powered by clean
 35 renewable fuel, electricity, or other alternative fuel if a motor vehicle or low-speed vehicle
 36 capable of being powered by such a clean renewable fuel, electricity, or other alternative

1 fuel is suitable for the intended use and such motor vehicle or low-speed vehicle is
2 reasonably available at a cost equal to or less than that of comparable conventionally fueled
3 vehicles."

4 **SECTION 5.**

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