

Biodiesel Fuel

This Act establishes regulations for selling biodiesel fuel. Biodiesel is a clean-burning fuel made from domestically produced renewable fats and oils such as soybean oil or recycled cooking oils. It is registered as a fuel and fuel additive with the Environmental Protection Agency and meets standards from the California Air Resources Board and American Society for Testing and Materials.

Submitted as:

Arizona

Chapter 104 of 2002

Status: Enacted into law in 2002.

Suggested State Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Short Title.*] This Act may be cited as “An Act Regulating the Sale of
2 Biodiesel Fuel.”

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Section 2. [*Definitions.*] As used in this Act:

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(1) “Biodiesel” means a diesel fuel substitute that satisfies all of the following:

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(a) Is produced from nonpetroleum renewable resources if the qualifying volume
7 of nonpetroleum renewable resources meets the standards for California diesel fuel as adopted
8 by the California Air Resources Board pursuant to 13 California Code of Regulations Sections
9 2281 and 2282 in effect on January 1, 2000.

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(b) Meets the registration requirement for fuels and additives established by the
11 Environmental Protection Agency pursuant to Section 211 of the Clean Air Act.

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(c) The use of the diesel fuel substitute complies with the requirements listed in
13 10 Code of Federal Regulations Part 490, as printed in the *Federal Register*, Volume 64,
14 Number 96, May 19, 1999.

15

(d) Is sold, offered or exposed for sale as a neat product or blended with diesel
16 fuel.

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(2) “Department” means the [state department of weights and measures].

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(3) “Diesel” means a refined middle distillate for use as a fuel in a compression-ignition
19 internal combustion engine.

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(4) “Director” means the [director of the department of weights and measures].

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(5) “Person” means both the plural and the singular, as the case demands, and includes
22 individuals, partnerships, corporations, companies, societies and associations.

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Section 3. [*Prohibitions Against Selling Biodiesel Fuel.*]

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(1) A person shall not sell or offer or expose for sale biodiesel that is not tested or does
26 not meet the specifications established by the American Society for Testing and Materials
27 (ASTM) D6751 or any blend of biodiesel and diesel fuel that is not tested or does not meet the
28 specifications established by ASTM D975 and that contains sulfur in excess of [five hundred
29 parts per million] for use in areas as defined in [insert citation].

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(2) A person that blends biodiesel that is intended as a final product for the fueling of
31 motor vehicles shall report to the [director] by the [fifteenth day of each month] the quantity and

32 quality of biodiesel shipped to or produced in this state during the preceding month. A person
33 who supplies biodiesel subject to this subsection shall report the following by batch:

34 (a) The percentage of biodiesel in a final blend.

35 (b) The volume of the finished product.

36 (c) For neat biodiesel, the results of analysis for those parameters established by
37 ASTM D6751.

38 (d) For biodiesel blended with any diesel fuel, the results of the analysis of the
39 following motor fuel parameters as established by ASTM D975:

40 (I) Sulfur content.

41 (II) Aromatic hydrocarbon content.

42 (III) Cetane number.

43 (IV) Specific gravity.

44 (V) American Petroleum Institute Gravity.

45 (VI) The temperatures at which ten per cent, fifty per cent and ninety per
46 cent of the diesel fuel boiled off during distillation.

47 (3) The report required by subsection 2 of this section shall be on a form prescribed by
48 the [director] and shall contain a certification of truthfulness and accuracy of the data submitted
49 and a statement of the supplier's consent permitting the [department] or its authorized agent to
50 collect samples and access records as provided in rules adopted by the [department]. A
51 corporate officer who is responsible for operations at the facility that produces or ships the final
52 product shall sign the report.

53 (4) A person shall label dispensers at which biodiesel is dispensed in such a manner as to
54 notify other persons of the volume percentage of biodiesel in the finished product.

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56 Section 4. [*Severability.*] [Insert severability clause.]

57

58 Section 5. [*Repealer.*] [Insert repealer clause.]

59

60 Section 6. [*Effective Date.*] [Insert effective date.]