

FIRST REGULAR SESSION

HOUSE BILL NO. 699

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KORMAN.

0171H.031

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 414.400 and 414.410, RSMo, and to enact in lieu thereof two new sections relating to the fuel conservation for state vehicles program.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 414.400 and 414.410, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 414.400 and 414.410, to read as follows:

414.400. 1. As used in sections 414.400 to 414.417, the following terms mean:

(1) "Alternative fuel", any fuel, including any alcohol fuel containing eighty-five percent or more by volume of such alcohol or other such percentage not less than seventy percent if determined by the United States Department of Energy by rule to be necessary to provide for the requirements of cold start, safety, or vehicle functions, natural gas, liquefied petroleum gas, any fuel other than alcohol derived from biological materials when designated by the United States Department of Energy as an alternative fuel, and hydrogen, or any power source, including electricity, and any other fuel that the United States Department of Energy determines by final rule is substantially not petroleum and would yield substantial energy security and environmental benefits, used in a vehicle that complies with the standards and requirements applicable to such vehicle pursuant to sections 414.400 to 414.417 when using such fuel or power source;

(2) "CAFE standard", the federal Corporate Average Fuel Economy standard, 15 U.S.C. 2002 or 40 CFR Parts 86 and 600 or 49 CFR Part 538 or proposed rule 49 CFR Part 538 until such rule is finalized;

(3) "Department", the department of natural resources;

(4) "Director", the director of the department of natural resources;

(5) "State agency", the same meaning as such term is defined in section 536.010;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 (6) "Vehicle fleet", any fleet comprised of vehicles [with a manufacturer's gross vehicle
19 weight rating of not more than eight thousand five hundred pounds] registered for operation on
20 the highways of this state pursuant to chapter 301.

21 2. The department in consultation with the commissioner of administration shall develop
22 and implement a program to manage and progressively reduce state agency vehicle fleet fuel
23 consumption and promote the use of alternative fuels. The program shall require state agencies
24 to meet minimum guidelines for efficient fleet management. Such guidelines shall be updated
25 and revised every two years and shall require the overall vehicle fleet fuel efficiency for each
26 agency to meet or exceed the fuel efficiency that would be achieved if each vehicle in the
27 agency's fleet met the CAFE standard. The department may promulgate rules necessary to
28 implement such guidelines. Further, provided that suppliers or state agencies have or can
29 reasonably be expected to have established alternative fuel refueling stations as needed, the
30 program shall require that at least thirty percent of all motor fuel purchased annually for use in
31 alternative fuel vehicles **with a gross vehicle weight rating of not more than eight thousand**
32 **five hundred pounds**, calculated in gasoline gallon equivalents, to be alternative fuel by July
33 1, 2001, **and for use in alternative fuel vehicles with a gross vehicle weight rating of more**
34 **than eight thousand five hundred pounds by July 1, 2017**. Any alternative fuel purchased
35 by a state agency for use in vehicles not included in their vehicle fleet as defined in subsection
36 1 of this section, calculated in gasoline gallon equivalents, may be credited toward the annual
37 alternative fuel purchase goal. The program shall systematically replace existing state-owned
38 vehicles and vehicles paid for with any state money, including vehicles purchased by the
39 university system, with vehicles manufactured, assembled or produced in the United States, as
40 required by sections 34.350 to 34.359.

41 3. The commissioner of administration shall identify specific vehicle models within each
42 vehicle procurement class that meet or exceed the CAFE standard. State agencies shall identify
43 specific vehicle models within each vehicle procurement class that have a life cycle cost which
44 is less than or equal to the average life cycle cost of those vehicles in the class which are
45 manufactured, assembled or produced in the United States. Life cycle costs shall include but are
46 not limited to the original cost of the vehicle, conversion cost if applicable, costs associated with
47 vehicle emissions to the extent that such statistics are available, and projected cost of operation,
48 including fuel cost and maintenance and salvage value to the extent that reliable maintenance and
49 salvage value statistics are available. Unless a state agency submits to the department a fleet
50 efficiency plan that complies with the minimum guidelines for energy efficiency established
51 pursuant to subsection 2 of this section, or unless otherwise approved by the office of
52 administration pursuant to subsection 4 of this section, all purchases of vehicles for state agency
53 vehicle fleets shall meet the above standards.

54 4. The commissioner of administration may waive the CAFE standard requirements of
55 subsection 3 of this section, for only those vehicles which satisfy one or more of the following
56 conditions, for any state agency upon receipt of documentation that has been certified by the
57 director of the state agency as satisfying one or more of the following conditions:

58 (1) Such vehicles are used primarily in off-road, construction, or road maintenance
59 applications;

60 (2) Such vehicles are regularly used in the movement of maintenance or construction
61 equipment; **or**

62 (3) Such vehicles are trucks or utility vehicles as defined by the office of administration
63 [that] , **have a manufacturer's gross vehicle weight rating of not more than eight thousand**
64 **five hundred pounds, and** are regularly used to transport trailers for the purpose of moving state
65 equipment [; or

66 (4) Such vehicles are vehicles with manufacturer-stated seating capacity exceeding that
67 for six persons and the director of the agency has certified that the vehicle will be used to
68 transport its rated capacity in persons and/or cargo. Agencies which are granted such waivers
69 shall comply with the planning requirements of section 414.403].

70 5. The purchase of all class III vehicles, as defined by the office of administration, shall
71 be approved through the appropriations process for all departments except the highway patrol.
72 The provisions of this subsection shall not apply to the purchase of used vehicles from the
73 highway patrol.

414.410. 1. The director shall develop a motor vehicle alternative fuel use plan. The
2 director shall cooperate with state agency fleet operators, vehicle manufacturers and converters,
3 fuel distributors and others to identify the types of vehicles which could be converted to
4 alternative fuels. The director shall consider range, specialty uses, fuel availability, vehicle cost,
5 **fuel cost**, vehicle manufacturing and conversion capability, safety, resale values, and other
6 relevant factors.

7 2. The department shall recommend alternative fuels which state agencies and state
8 universities may consider when purchasing vehicles. The department shall consider the content
9 of vehicle exhaust emissions, the relative efficiency of the fuel, the relative efficiency of the
10 processes required to produce the fuel and the characteristics of air emissions associated with the
11 production of that fuel. It shall recommend for state use those alternative fuels which best satisfy
12 the goals of energy conservation and emissions reduction.

13 3. Any state agency which operates a fleet of more than fifteen motor vehicles shall
14 acquire vehicles capable of using alternative fuels as follows:

15 (1) At least ten percent of the agency's fleet vehicles **with a manufacturer's gross**
16 **vehicle weight rating of not more than eight thousand five hundred pounds** acquired

17 between July 1, 1994, and July 1, 1996, **and fleet vehicles with a manufacturer's gross vehicle**
18 **weight rating of more than eight thousand five hundred pounds acquired between July 1,**
19 **2016, and July 1, 2019;**

20 (2) At least thirty percent of the agency's fleet vehicles **with a manufacturer's gross**
21 **vehicle weight rating of not more than eight thousand five hundred pounds** acquired
22 between July 1, 1996, and July 1, 1998, **and fleet vehicles with a manufacturer's gross vehicle**
23 **weight rating of more than eight thousand five hundred pounds acquired between July 1,**
24 **2019, and July 1, 2022;** and

25 (3) At least fifty percent of the agency's fleet vehicles acquired between July 1, 1998, and
26 July 1, 2000, and each biennial period thereafter.

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28 If a state agency exceeds any such biennial acquisition goal, or has purchased vehicles
29 **with a manufacturer's gross vehicle weight rating of not more than eight thousand five**
30 **hundred pounds** capable of using alternative fuels before July 1, 1994, **or vehicles with**
31 **manufacturer's gross vehicle weight rating of more than eight thousand five hundred**
32 **pounds capable of using alternative fuels before July 1, 2016,** such purchases may be credited
33 to any future biennial acquisition goal. If a state agency has purchased vehicles capable of using
34 alternative fuels but not included in their vehicle fleet as defined in subsection 1 of section
35 414.400, such purchases may be credited toward any biennial acquisition goal. If a state agency
36 fails to meet a biennial acquisition goal, the commissioner of administration shall not authorize
37 for such agency the purchase of any vehicle not capable of using alternative fuels until such
38 acquisition goal is met, unless the director has reduced or waived the acquisition goal pursuant
39 to subsection 1 of section 414.412.

40 **4. Beginning no later than July 1, 2017, all pertinent information including, but not**
41 **limited to, fuel purchases, vehicle purchases, and use of alternative fuel vehicles shall be**
42 **reported by the commissioner of administration to the division of energy of the department**
43 **of economic development.**

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