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Biofuels Statutory Citations

State of Ohio

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This compilation of state statutory citations focuses predominantly on biofuels laws in effect January 1, 1970 through December 31, 2007. In some instances, regulations have been included in the compilation due to their significance. This compilation is intended to serve as a researcher-friendly inventory of state laws by providing the formal title of relevant legislation, the standard legal citation for each statute and a brief description of the law. Some statutes and regulations listed do not specifically relate to biofuels, but are included because of their complementary relationship to the evolution of biofuels law in the state. These statutes are placed in reverse chronological order using the date of the most recent amendment to the statute. Many biofuels laws were enacted as amendments to previously passed laws.

Title	Citation	Applicability	Description	Related Legislation
Bioproducts development program (repealed) (2008)	OHIO REV. CODE ANN. § 184.25	Both	Third frontier commission to provide loans, loan guarantees, or grants to entities to promote development of bioproducts in state. Law was repealed in 2008.	
Definitions (2008)	OHIO REV. CODE ANN. § 3706.01	Both	Air quality facility includes ethanol and biodiesel facilities.	
Alternative motor fuel retail sales (2007)	OHIO REV. CODE ANN. § 5733.48	Both	Tax credit for 2008-09 tax years. 2008 credit is \$.15/gallon for all alternative fuel sold in 2007. 2009 the credit is \$.15/gallon for all alternative fuel sold in 2008 through meter, and \$.13/gallon for alt. fuel sold in any manner.	OHIO REV. CODE ANN. § 5747.77

Alternative motor fuel retail dealers (2007)	OHIO REV. CODE ANN. § 5747.77	Both	Defines ethanol, biodiesel, E85, and blended biodiesel. Finally defines retail service station.	OHIO REV. CODE ANN. § 5733.48
Biodiesel fuel program (2007)	OHIO REV. CODE ANN. § 3327.17	Biodiesel	Establish a program to help school offset costs of purchasing blended biodiesel for buses.	
Credit banking and selling program; biodiesel revolving fund (2006)	OHIO REV. CODE ANN. § 125.836	Biodiesel	Create program to sell and trade credits. Also creates biodiesel revolving fund. Used to pay the incremental costs of biodiesel to use in state vehicles that use diesel fund.	
Alternative fuel capability requirements for owned or lease vehicles (2006)	OHIO REV. CODE ANN. § 125.834	Both	After July 1, 2006, all new vehicles acquired by the state will be capable of using alternative fuels.	
Alternative fuel resource officer (2006)	OHIO REV. CODE ANN. § 125.837	Both	One employee will be designated to monitor federal laws on alternative fuels that may affect state and will help explain alternative fuel issues to the other state employees.	
Alternative fuel transportation grant program; rules; alternatives fuel transportation grant fund (2005)	OHIO REV. CODE ANN. § 122.075	Both	To provide grants for the development of ethanol and biodiesel infrastructure. Maximum grant for refueling or distribution facility or terminal is 80% of the costs.	
Fleet Management, definitions (2003)	OHIO REV. CODE ANN. § 125.831	Both	Defines alternative fuel, which includes E85 blend fuel and blended biodiesel.	

Ethanol plant investment credit (2002)	OHIO REV. CODE ANN. § 5747.75	Ethanol	From tax year 2002 to end of tax year 2012, taxpayer can receive a credit for 50% of the investment in ethanol plant. Credit limited to \$5,000/taxpayer/qualified ethanol plant regardless of number of years the taxpayer makes investments.	OHIO REV. CODE ANN. § 901.13
Ethanol plant investment credit (2002)	OHIO REV. CODE ANN. § 5733.46	Ethanol	From end of 2003 to 2013, taxpayer can receive tax credit of 50% of the money they invest in a plant. Limited to \$5,000/taxpayer/certified ethanol plant, regardless of how much they invest in allowed years.	OHIO REV. CODE ANN. § 901.13
Ethanol incentive board (2002)	OHIO REV. CODE ANN. § 901.13	Ethanol	Creates board to approve facilities for investment credits.	OHIO REV. CODE ANN. §§ 5733.46 & 5747.75
Disclosure of ethanol content of gasoline not required (2002)	OHIO REV. CODE ANN. § 1345.021	Ethanol	Retailer of fuel containing ethanol has to give disclosure fact has ethanol and percentage.	
Qualified fuel credit (2000)	OHIO REV. CODE ANN. § 5735.145	Ethanol	Receive a tax credit for each gallon of qualified ethanol used, sold, and distributed by a dealer. Dealers have to make a monthly report on the number of qualified gallons sold. Credit is based on formula in statute.	

<p>Tampering with emission control system (1993)</p>	<p>OHIO REV. CODE ANN. § 3704.16</p>	<p>Both</p>	<p>Vehicle emission control systems may not be tampered with unless the action is for the purpose of converting a motor vehicle to operate on an alternative fuel and is in compliance with the standards adopted under the Clean Air Act Amendments.</p>	
<p>Diesel emissions reduction grant program; diesel emissions reduction revolving loan program; diesel emissions grant fund; diesel emissions reduction revolving loan fund</p>	<p>OHIO REV. CODE ANN. § 122.861</p>	<p>Biodiesel</p>	<p>Reduction Grant Program and Diesel Emissions Reduction Revolving Loan Program to reduce diesel emissions. Funding is available for projects engine reconfigurations, pollution controls, and retrofitting.</p>	