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## **Biofuels Statutory Citations**

**State of Texas**

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## Biofuels Statutory Citations

### STATE OF TEXAS

*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.*

<b>Title</b>	<b>Citation</b>	<b>Applicability</b>	<b>Description</b>
Clean Vehicle and Equipment Grants (2009)	<a href="#">TEX. HEALTH &amp; SAFETY CODE ANN. §386</a>	Both	Provides grants for various types of clean air projects in 41 counties to improve air quality in the state's non-attainment areas.
Alternative Fuel Grants (2009)	<a href="#">TEX. HEALTH &amp; SAFETY CODE ANN. §386</a>	Both	Provides grants for alternative fuel and advanced technology demonstration and infrastructure projects
Ethanol and Biodiesel Production Fee (2009)	<a href="#">TEX. AGRIC. CODE ANN. §16.001 and §16.005</a>	Both	Ethanol and biodiesel producers are subject to a fee of \$0.032 per gallon of ethanol or biodiesel produced in each registered production facility.

When Vehicle Considered Capable of Using Alternative Fuels (2009)	<a href="#">TEX. GOV'T CODE ANN. § 2158.008</a>	Ethanol	A vehicle is considered to be capable of using compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity if the vehicle is capable of using those fuels either in its original equipment engine or in an engine that has been converted to use those fuels.
Ethanol and Biodiesel Blend Tax Exemption (2009)	<a href="#">TEX. TAX CODE ANN. §162.204</a>	Both	The biodiesel or ethanol portion of blended fuel containing taxable diesel is exempt from the diesel fuel tax.
Fuel Dispenser Labeling Requirement (2009)	<a href="#">TEX. AGRIC. CODE ANN. §17.051</a>	Ethanol	Effective April 1, 2009, all motor fuel dispensing equipment used to dispense motor fuel containing at least 1% ethanol or methanol must be clearly labeled
Definitions (2009)	<a href="#">TEX. AGRIC. CODE ANN. § 16.001</a>	Both	Defines both biodiesel and ethanol.
Plant registration (2009)	<a href="#">TEX. AGRIC. CODE ANN. § 16.002</a>	Both	To be eligible for a grant for fuel ethanol or biodiesel produced in a plant, a producer must apply to the office for the registration of the plant. A producer may apply for the registration of more than one plant.
Reports (2009)	<a href="#">TEX. AGRIC. CODE ANN. § 16.003</a>	Both	A producer shall report the number of gallons of fuel ethanol or biodiesel produced, imported, sold, or consumed in each registered plant.

Fuel ethanol and biodiesel production account (2009)	<a href="#">TEX. AGRIC. CODE ANN. § 16.004</a>	Both	The fuel ethanol and biodiesel production account is an account in the general revenue fund that may be appropriated only to the office for the purposes of this chapter, including the making of grants under this chapter.
Fuel ethanol and biodiesel grants (2009)	<a href="#">TEX. AGRIC. CODE ANN. § 16.006</a>	Both	Makes grants to producers as an incentive for the development of the fuel ethanol and biodiesel industry and agricultural production in this state. A producer is entitled to receive from the account 20 cents for each gallon of fuel ethanol or biodiesel produced.
Definitions (2009)	<a href="#">TEX. TAX CODE ANN. § 162.001</a>	Both	Defines both biodiesel and ethanol.
Documentation of Motor Fuel Mixture Sales (2009)	<a href="#">TEX. AGRIC. CODE ANN. § 17.052</a>	Ethanol	A distributor, supplier, wholesaler, or jobber of motor fuel may not deliver to an outlet in this state a motor fuel mixture that contains ethanol or methanol exceeding one percent by volume of the mixture unless certain exceptions are met.
Rules; Fees (2009)	<a href="#">TEX. AGRIC. CODE ANN. § 17.104</a>	Ethanol	Commissioner may adopt rules consistent with this chapter for the regulation of the sale of motor fuels containing ethanol and methanol.
Vehicles Using Alternative Fuels (2009)	<a href="#">TEX. GOV'T CODE ANN. § 2158.004</a>	Ethanol	A state agency operating a fleet of more than 15 vehicles, excluding law enforcement and emergency vehicles, may not purchase or lease a motor vehicle unless that vehicle is capable of using ethanol or ethanol/gasoline blends of 85 percent or greater.

<p>Percentage Requirements for Vehicles Capable of Using Alternative Fuels; Program Review (2009)</p>	<p><a href="#">TEX. GOV'T CODE ANN. § 2158.005</a></p>	<p>Ethanol</p>	<p>A state agency that operates a fleet of more than 15 motor vehicles, excluding law enforcement and emergency vehicles, shall have a fleet consisting of vehicles of which at least 50 percent are capable of using ethanol or ethanol/gasoline blends of 85 percent or greater.</p>
<p>Determination of Alternative Fuels Program Parameters (2009)</p>	<p><a href="#">TEX. GOV'T CODE ANN. § 2158.006</a></p>	<p>Ethanol</p>	<p>In developing the use of ethanol or ethanol/gasoline blends of 85 percent or greater the commission should work with state agency fleet operators, vehicle manufacturers and converters, fuel distributors, and others to determine the vehicles to be covered.</p>
<p>Compliance With Applicable Safety Standards (2009)</p>	<p><a href="#">TEX. GOV'T CODE ANN. § 2158.007</a></p>	<p>Ethanol</p>	<p>In purchasing, leasing, maintaining, or converting vehicles for use with ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity, the commission shall comply with all applicable safety standards adopted by the United States Department of Transportation and the Railroad Commission of Texas.</p>
<p>Alternative Fuel Vehicle (AFV) Program Support and Technician Training (1997)</p>	<p><a href="#">TEX. GOV'T CODE ANN. §2305.035</a></p>	<p>Both</p>	<p>Provides administrative support for the U.S. Department of Energy's Clean Cities program and U.S. Environmental Protection Agency's Clean School Bus Program, grant writing training for public and private entities, and funding for training and certification program development</p>

Alternative Fuels Conversion Fund (1995)	<a href="#">TEX. NAT. RES. CODE. ANN. § 113.286</a>	Ethanol	The council may use the money in the fund only to make loans or grants under this subchapter or finance activities supporting or encouraging the use of compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity.
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