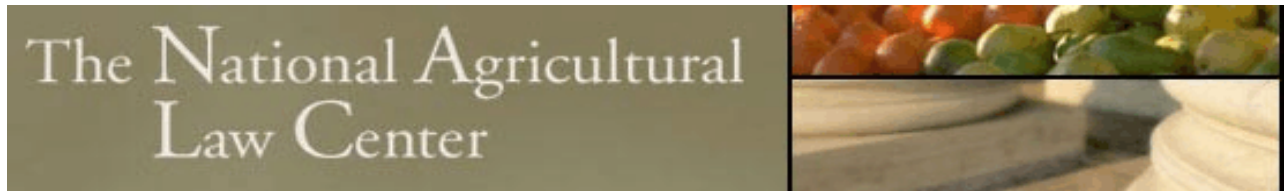


University of Arkansas • Division of Agriculture



**An Agricultural Law Research Project**

## **Biofuels Statutory Citations**

**State of Colorado**

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## Biofuels Statutory Citations

### STATE OF COLORADO

*This compilation of state statutory citations focuses predominantly on biofuels laws in effect January 1, 1970 through December 31, 2013. It 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, the applicability of the statute (ethanol, biodiesel, or both), 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>   |
|---|--|----------------------|--|
| Tax credit for innovative motor vehicles (2014)                           | <a href="#">COL. REV. STAT. § 39-22-516.5 TO 39-22-516.8</a> | Both                 | For tax years 2012 to 2014, the Colorado Department of Revenue offered a tax credit for the purchase or lease of each motor vehicle that uses or has been converted to operate on alternative fuel. This currently has a sunset date of December 31, 2018.   |
| Gasoline Tax: Special Fuel- Impact Report (2013)                          | <a href="#">COL. REV. STAT. § 39-27-123</a>                  | Both                 | Requires state agencies to work together to prepare a report on or before 2017 about the impact of alternative fuels on the roads of the state and the gas tax system, as well as recommendations about possible amendments to the system to ensure sufficient funding for roadway repairs.  |
| Tax credit for purchase of vehicles using alternative fuels—repeal (2013) | <a href="#">COL. REV. STAT. § 39-22-516</a>                  | Both                 | For tax years 2000 to 2010, the Colorado Department of Revenue offered a tax credit for each motor vehicle that is titled and registered in the state and uses or has been converted to operate on alternative fuel. It also provides for tax credits during those same tax years to individuals the incur costs related to construction, reconstruction, or acquiring alternative fuel refueling facilities. This law currently has a sunset date of December 31, 2016. |

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| Utility Cost-Saving Measures (2013)                    | <a href="#">COL. REV. STAT. § 24-30-2001 TO 24-30-2003;</a><br><a href="#">29-12.5-101 TO 29-12.5-104</a> | Both | Government fleets should contract for the purchase or lease of new alternative fuel vehicles or alternative fuel infrastructure, which is paid for by the savings that result from the adoption of these technologies.   |
| Central services function of the department (2013)     | <a href="#">COL. REV. STAT. § 24-30-1104</a>  | Both | Requires the state to adopt a policy to increase the utilization of alternative fuels and establish increasing usage objectives for succeeding years. Requires all state-owned diesel vehicles and equipment to be fueled with a blend of 20% biodiesel and 80% petroleum diesel (B20), subject to availability and cost efficiency. Requires the state to purchase flexible fuel vehicles or hybrid electric vehicles, subject to availability and cost efficiency. Also requires annual reports to the general assembly regarding the amount of alternative fuels used, status of alternative fuel infrastructure, number of alternative fuel vehicles purchased, and overall economic benefits. |
| Colorado Clean Energy Development Authority Act (2012) | <del>COL. REV. STAT. §§ 40-9.7-101 TO 40-9.7-123</del><br><br><b>(REPEALED JULY 1, 2012)</b>              | Both | Created the Colorado Clean Energy Development Authority to issue bonds to finance projects that for the production, transportation, and storage of fuels derived from, including but not limited to: biodiesel; biomass resources, agricultural or animal waste, landfill gas, and aerobically digested waste biomass.   |
| Alternative Fuels Rebate (2011)                        | <del>COL. REV. STAT. § 39-33-101 TO 39-33-106</del><br><br><b>(REPEALED MAR. 9, 2011)</b>                 | Both | Provides for a rebate to qualified entities for each motor vehicle owned by such entity that is titled and registered in the state; is used in connection with the business or official activities of the entity; and uses or is converted to use an alternative fuel or has its power source replaced with a power source that uses an alternative fuel.  |

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| High occupancy vehicle lanes (2009)                            | <a href="#">COL. REV. STAT. § 42-4-1012</a>               | Both    | Allows vehicles that are inherently low-emission, such as alternative fuel vehicles, are permitted to use the carpool lanes regardless of the number of persons in the vehicle and without payment of any special tolls or fees.   |
| Gross weight of vehicles (2009)                                | <a href="#">COL. REV. STAT. § 42-4-508</a>                | Both    | Allows for an increased gross weight limit on state highways and bridges for vehicles that contain and operate on alternative fuel or a conventional and alternative fuel mixture.   |
| Bioscience research-evaluation-grants (2007)                   | <a href="#">COL. REV. STAT. § 24-48.5-108</a>             | Both    | Creates the Bioscience Discovery Evaluation Grant Program, administered by the Colorado Office of Economic Development, to provide grants for biofuels research projects. Funding limits, reporting policies, and other eligibility requirements apply. This program has a current sunset date of January 2, 2015.   |
| Fuel Products-Definitions (2007)                               | <a href="#">COL. REV. STAT. § 8-20-201</a>                | Both    | Defines relevant terms such as, “alternative fuel”, “fuel products”, and “renewable fuel.”   |
| Fuel Products-Specifications (2007)                            | <a href="#">COL. REV. STAT. § 8-20-204</a>                | Ethanol | Requires gasoline that is blended with ethanol to meet certain ASTM specifications.  |
| Duties of director of division of oil and public safety (2007) | <a href="#">COL. REV. STAT. §§ 8-20.5-202; 8-20.5-302</a> | Both    | Requires the division of oil and public safety to develop and enforce rules concerning the placement of underground/above ground storage tanks that contain renewable fuels. The rules shall put forth a uniform statewide standard of issuing permits for these tanks to promote the use of renewable fuels through an efficient and affordable permitting process. |

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| State Buildings: Life cycle cost (2006)                                      | <a href="#">COL. REV. STAT. § 24-30-1305</a>                              | Both | In designing, constructing, or renovating of state facilities, a life cycle cost analysis should be completed. This analysis should consider the use of biofuel to provide supplemental or exclusive heating and/or power for the facility. For a renovation, the cost analysis of biofuel usage shall consider any stranded utility costs. |
| Records of application and registration (2005)                               | <a href="#">COL. REV. STAT. § 42-3-113</a>                                | Both | When registering a motor vehicle in the state, the owner must indicate the types of fuel (gasoline, diesel, propane, electricity, natural gas, methanol or M85, ethanol or E85, biodiesel, other) used to operate the vehicle and whether it is dual-fueled or dedicated to one fuel.   |
| Emissions Inspection: Powers and duties of commission (2003)                 | <a href="#">COL. REV. STAT. § 42-4-306 (22)</a>                           | Both | Requires administrative rules with respect to emissions inspection procedures and standards for vehicles that operate on alternative fuels. The commission shall evaluate whether dual fuel vehicles should be inspected on both fuels and whether such vehicles shall be charged for one or two inspections.                               |
| Colorado Clean Vehicle Fleet Program (2002)                                  | <del>COL. REV. STAT. § 25-7-106.8</del><br><b>(REPEALED AUG. 7, 2002)</b> | Both | Defines alternative fuel as compressed natural gas, propane, ethanol, or any mixture containing 85% or more ethanol by volume with gasoline or other fuels, electricity, or any other fuels, which may include, clean diesel and reformulated gasoline.   |
| Method of sales of motor fuels--gallon equivalent--conversion factors (1997) | <a href="#">COL. REV. STAT. § 8-20-232.5</a>                              | Both | The term gasoline/diesel gallon equivalent is defined to equate the energy content of any motor fuel, including alternative fuels, to that of a gallon of gasoline/diesel. Any dispenser used for the sale of motor fuel in gasoline/diesel gallon equivalents shall display the conversion factor.   |

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| Labeling of containers (1989) | <a href="#">COL. REV. STAT. § 8-20-211.5</a> | Ethanol | If the volume of ethanol exceeds 10%, or if the volume of methanol exceeds 2%, the stamp or label on the fueling device and/or container shall state that information. It should be printed in front of the pump in a position clear and conspicuous to the driver's position, in at least one-half inch block letters. |
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