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Biofuels Statutory Citations

State of Texas

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STATE OF TEXAS

This compilation of state statutory citations focuses predominantly on biofuels laws in effect January 1, 1970 through December 31, 2014. 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
Ethanol and Biodiesel Blend Tax Exemption (2013)	TEX. TAX CODE ANN. §162.204	Both	The biodiesel or ethanol portion of blended fuel containing taxable diesel is exempt from the diesel fuel tax.
Alternative Fueling Facilities Program (2013)	TEX. HEALTH & SAFETY CODE ANN. §§393.001 TO 393.007	Ethanol	Grant program to help cover some of the cost of constructing alternative fueling facilities in existing nonattainment areas. Expires Aug. 31, 2018.
Clean Vehicle and Equipment Grants (2013)	TEX. HEALTH & SAFETY CODE ANN. §386	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 (2013)	TEX. HEALTH & SAFETY CODE ANN. §386	Both	Provides grants for alternative fuel and advanced technology demonstration and infrastructure projects
Minimum Motor Fuel Quality and Testing Standards (2011)	TEX. AGRIC. CODE ANN. §17.071	Ethanol	Fuel standards must comply with nationally recognized minimum standards.
Texas Clean Fleet Program (2011)	TEX. HEALTH & SAFETY CODE ANN. §§392.001 TO 392.008	Both	Grant program to encourage entities with fleets of 20+ vehicles to replace existing vehicles with ones that are powered by alternative fuel. Expires Aug. 31, 2017.

Documentation of Motor Fuel Mixture Sales (2011)	TEX. AGRIC. CODE ANN. § 17.052	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.
Ethanol & Biodiesel Incentive Program (2009)	TEX. AGRIC. CODE ANN. §§16.001 TO 16.0056	Both	Biofuel producers are subject to a fee of \$0.032/gal produced, which is used to provide incentive grants, \$.20/gal, for continued development of the renewable fuels industry in the state. Funding for the program was pulled in 2007.
When Vehicle Considered Capable of Using Alternative Fuels (2009)	TEX. GOV'T CODE ANN. § 2158.008	Ethanol	A vehicle is considered to be capable of using alternative fuels if the vehicle is capable of using those fuels in its original engine or in an engine that has been converted to use those fuels.
Fuel Dispenser Labeling Requirement (2009)	TEX. AGRIC. CODE ANN. §17.051	Ethanol	All dispensing equipment used to dispense motor fuel containing ethanol or methanol must be clearly labeled
Definitions (2009)	TEX. TAX CODE ANN. § 162.001	Both	Defines both biodiesel and ethanol.
Rules; Fees (2009)	TEX. AGRIC. CODE ANN. § 17.104	Ethanol	Commissioner may adopt rules consistent with this chapter for the regulation of the sale of motor fuels containing ethanol and methanol.
Clean School Bus Program (2009)	TEX. HEALTH & SAFETY CODE ANN. §§390.001 TO 390.006	Biodiesel	Grant program to help schools retrofit existing buses or buy new buses that run on qualifying cleaner fuel. Expires Aug. 31, 2019.
Vehicles Using Alternative Fuels (2009)	TEX. GOV'T CODE ANN. § 2158.004	Both	A state agency operating a fleet of 15+ vehicles, excluding law enforcement and emergency vehicles, may not purchase or lease a motor vehicle unless it is capable of using ethanol/gasoline blends of 85 percent or biodiesel.

Percentage Requirements for Vehicles Capable of Using Alternative Fuels; Program Review (2009)	TEX. GOV'T CODE ANN. § 2158.005	Both	A state agency operating a fleet of 15+ vehicles, excluding law enforcement and emergency vehicles, shall have at least 50% of their vehicles capable of using ethanol/gasoline blends of 85% or greater or biodiesel.
Determination of Alternative Fuels Program Parameters (2009)	TEX. GOV'T CODE ANN. § 2158.006	Both	In developing the use of ethanol, ethanol/gasoline blends, or biodiesel the commission should work with state agency fleet operators, vehicle manufacturers and converters, fuel distributors, and others to determine the vehicles to be covered.
Compliance With Applicable Safety Standards (2009)	TEX. GOV'T CODE ANN. § 2158.007	Both	In purchasing, leasing, maintaining, or converting vehicles for use with ethanol, ethanol/gasoline blends, biodiesel, 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.
Alternative Fuel Vehicle (AFV) Program Support and Technician Training (1997)	TEX. GOV'T CODE ANN. §2305.035	Both	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
Alternative Fuels Conversion Fund (1995)	TEX. NAT. RES. CODE. ANN. §§113.286 TO 113.290	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.