

## SENATE AMENDMENTS TO B-ENGROSSED HOUSE BILL 3463

By COMMITTEE ON RULES

June 16

1 On page 1 of the printed B-engrossed bill, line 2, after “ORS” delete the rest of the line and line  
2 3 and insert “646.921 and 646.922 and section 16, chapter 739, Oregon Laws 2007; and declaring an  
3 emergency.”.

4 Delete lines 13 through 22 and insert:

5 “(4) It would be premature for Oregon to establish required percentages of other renewable  
6 diesel in diesel fuel sold or offered for sale in Oregon given the lack of technology and standards  
7 for the production and use of other renewable diesel. Given the interest in other renewable diesel,  
8 it is anticipated that a market for, and the means for production of, other renewable diesel will be  
9 established within the next two years, at which time the legislature may enact appropriate legis-  
10 lation requiring specified percentages of other renewable diesel in diesel fuel sold or offered for sale  
11 in Oregon.

12 “(5) It would not serve the interests of encouraging the development of a market and the means  
13 for production of other renewable diesel to implement a ban or prohibition on other renewable die-  
14 sel; therefore it is the policy of this state to not prohibit the production, sale or use of other  
15 renewable diesel, whether produced in Oregon or another state.”.

16 On page 2, line 2, after “state” insert “and to require specified percentages of biodiesel to be  
17 contained in diesel fuel sold or offered for sale in Oregon”.

18 On page 3, line 13, restore the bracketed material.

19 In lines 14 and 15, restore the bracketed material.

20 Delete lines 21 through 45 and delete pages 4 through 6.

21 On page 7, delete lines 1 through 18 and insert:

22 “**SECTION 3.** ORS 646.922, as amended by section 2 of this 2009 Act, is amended to read:

23 “646.922. (1) Upon receipt of the notice given under ORS 646.921 (2) and after the dates specified  
24 in ORS 646.921 (2)(a) and (b), a retail dealer, nonretail dealer or wholesale dealer may not sell or  
25 offer for sale diesel fuel unless the diesel fuel contains at least two percent biodiesel by volume **or**  
26 **other renewable diesel with at least two percent renewable component by volume.**

27 “(2) Two months after the date of the notice given under ORS 646.921 (3), a retail dealer,  
28 nonretail dealer or wholesale dealer may not sell or offer for sale diesel fuel unless the diesel fuel  
29 contains at least five percent biodiesel by volume **or other renewable diesel with at least five**  
30 **percent renewable component by volume.** Diesel fuel containing more than five percent biodiesel  
31 by volume **or other renewable diesel with more than five percent renewable component by**  
32 **volume** must be labeled as provided by the State Department of Agriculture by rule.

33 “(3) The department shall adopt standards for biodiesel or other renewable diesel sold in this  
34 state. The department shall consult the specifications established for biodiesel or other renewable  
35 diesel by ASTM International in forming its standards. The department may review specifications

1 adopted by ASTM International, or equivalent organizations, and revise the standards adopted pur-  
2 suant to this subsection as necessary.

3       “(4) The minimum biodiesel fuel content **or renewable component in other renewable diesel**  
4 requirements under subsections (1) and (2) of this section do not apply to diesel fuel sold or offered  
5 for sale for use by railroad locomotives, marine engines or home heating.”.

6       In line 19, delete “10” and insert “4”.

7       In line 23, delete “11” and insert “5” and after “ORS” delete the rest of the line and insert  
8 “646.922 by section 3”.

9       In line 24, delete “to 9”.

10       In line 25, delete “12” and insert “6”.

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