

# House Bill 2435

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Energy, Environment and Water)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Exempts from fuel excise tax diesel fuel blended with minimum 20 percent biodiesel derived from used cooking oil. Excludes from exemption fuel used in motor vehicles of 10,000 pounds or more.

Applies to fuel sold on or after January 1, 2014, and before January 1, 2020.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to energy; creating new provisions; amending ORS 319.530; and prescribing an effective  
3 date.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 319.530 is amended to read:

6 319.530. (1) To compensate this state partially for the use of its highways, an excise tax hereby  
7 is imposed at the rate of 30 cents per gallon on the use of fuel in a motor vehicle.

8 (2) Except as otherwise provided in subsections [(2) and (3)] (3) and (4) of this section, 100 cubic  
9 feet of fuel used or sold in a gaseous state, measured at 14.73 pounds per square inch of pressure  
10 at 60 degrees Fahrenheit, is taxable at the same rate as a gallon of liquid fuel.

11 [(2)] (3) One hundred twenty cubic feet of compressed natural gas used or sold in a gaseous  
12 state, measured at 14.73 pounds per square inch of pressure at 60 degrees Fahrenheit, is taxable at  
13 the same rate as a gallon of liquid fuel.

14 [(3)] (4) One and three-tenths liquid gallons of propane at 60 degrees Fahrenheit is taxable at  
15 the same rate as a gallon of other liquid fuel.

16 (5)(a) **Except as provided in paragraph (b) of this subsection, the excise tax imposed un-**  
17 **der subsection (1) of this section does not apply to diesel fuel blended with a minimum of 20**  
18 **percent biodiesel that is derived from used cooking oil.**

19 (b) **The exemption under paragraph (a) of this subsection does not apply to fuel used in**  
20 **motor vehicles that have a gross vehicle weight rating of 10,000 pounds or more.**

21 **SECTION 2.** The amendments to ORS 319.530 by section 1 of this 2013 Act apply to fuel  
22 sold on or after January 1, 2014.

23 **SECTION 3.** ORS 319.530, as amended by section 1 of this 2013 Act, is amended to read:

24 319.530. (1) To compensate this state partially for the use of its highways, an excise tax hereby  
25 is imposed at the rate of 30 cents per gallon on the use of fuel in a motor vehicle.

26 (2) Except as otherwise provided in subsections (3) and (4) of this section, 100 cubic feet of fuel  
27 used or sold in a gaseous state, measured at 14.73 pounds per square inch of pressure at 60 degrees  
28 Fahrenheit, is taxable at the same rate as a gallon of liquid fuel.

29 (3) One hundred twenty cubic feet of compressed natural gas used or sold in a gaseous state,  
30 measured at 14.73 pounds per square inch of pressure at 60 degrees Fahrenheit, is taxable at the

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 same rate as a gallon of liquid fuel.

2 (4) One and three-tenths liquid gallons of propane at 60 degrees Fahrenheit is taxable at the  
3 same rate as a gallon of other liquid fuel.

4 *[(5)(a) Except as provided in paragraph (b) of this subsection, the excise tax imposed under sub-*  
5 *section (1) of this section does not apply to diesel fuel blended with a minimum of 20 percent biodiesel*  
6 *that is derived from used cooking oil.]*

7 *[(b) The exemption under paragraph (a) of this subsection does not apply to fuel used in motor*  
8 *vehicles that have a gross vehicle weight rating of 10,000 pounds or more.]*

9 **SECTION 4. The amendments to ORS 319.530 by section 3 of this 2013 Act apply to fuel**  
10 **sold on or after January 1, 2020.**

11 **SECTION 5. This 2013 Act takes effect on the 91st day after the date on which the 2013**  
12 **regular session of the Seventy-seventh Legislative Assembly adjourns sine die.**

13