

House Bill 3448

Sponsored by Representatives BOONE, BAILEY; Senator BATES

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 diesel fuel sold to facilities that store more than 50 gallons of fuel for use in emergency power generation from requirement to contain certain percentage of biodiesel or to contain other diesel with specified percentage of renewable component.

A BILL FOR AN ACT

1
2 Relating to diesel fuel stored for use in emergency power generation; creating new provisions; and
3 amending ORS 646.922.

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

5 **SECTION 1.** ORS 646.922 is amended to read:

6 646.922. (1) A retail dealer, nonretail dealer or wholesale dealer may not sell or offer for sale
7 diesel fuel unless the diesel fuel contains at least two percent biodiesel by volume or other
8 renewable diesel with at least two percent renewable component by volume.

9 (2) Two months after the date of the notice given under ORS 646.921 (2), a retail dealer,
10 nonretail dealer or wholesale dealer may not sell or offer for sale diesel fuel unless the diesel fuel
11 contains at least five percent biodiesel by volume or other renewable diesel with at least five per-
12 cent renewable component by volume. Diesel fuel [*containing*] **that contains** more than five percent
13 biodiesel by volume or other renewable diesel with more than five percent renewable component by
14 volume must be labeled as [*provided by*] the State Department of Agriculture **provides** by rule.

15 (3) A retail dealer, nonretail dealer or wholesale dealer may sell or offer for sale diesel fuel that
16 otherwise meets the requirements of subsections (1) and (2) of this section and rules adopted pur-
17 suant to ORS 646.957 but to which there have been added substances to prevent congealing or
18 gelling of diesel fuel containing biodiesel or other renewable diesel, without violating the require-
19 ments of subsections (1) and (2) of this section and rules adopted pursuant to ORS 646.957. This
20 subsection applies only to diesel fuel sold or offered for sale during the period from October 1 of
21 any year to February 28 of the following year.

22 (4) The department shall adopt standards for biodiesel or other renewable diesel sold in this
23 state. The department shall consult the specifications established for biodiesel or other renewable
24 diesel by ASTM International in forming [*its*] **the department's** standards. The department may
25 review specifications adopted by ASTM International, or equivalent organizations, and revise the
26 standards adopted pursuant to this subsection as necessary.

27 (5) The minimum biodiesel fuel content and renewable component in other renewable diesel re-
28 quirements under subsections (1) and (2) of this section do not apply to diesel fuel sold or offered
29 for sale for use by railroad locomotives, marine engines or home heating **or to facilities that store**
30 **more than 50 gallons of diesel fuel for use in emergency power generation.**

31 **SECTION 2.** The amendments to ORS 646.922 by section 1 of this 2013 Act apply to diesel

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 **fuel sold on or after the effective date of this 2013 Act.**

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