

AMENDED IN ASSEMBLY MARCH 24, 2008

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2179**

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**Introduced by Assembly Member Furutani**

February 20, 2008

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An act to add Section ~~43867.1~~ 43867.5. to the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 2179, as amended, Furutani. Air quality: renewable diesel fuel.

Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution. Existing law requires the state board to establish, by regulation, various emissions standards for gasoline and motor vehicle fuel. Existing law also declares that research, development, and commercialization of clean alternative fuels have the potential to strengthen California's economy by providing growth, and helping to reduce the state's vulnerability to petroleum price volatility.

This bill would require all vehicles purchased or leased by an entity of the state on or after January 1, 2009, that require diesel fuel to operate to use *a renewable biomass-based diesel fuel blend of at least 20 percent, if certain requirements are met*. This bill would also require all vehicles owned or leased by the state prior to January 1, 2009, that require diesel fuel to operate to use *a renewable biomass-based diesel fuel blend of at least 20 percent by January 1, 2014, if certain requirements are met*.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) Renewable diesel fuel is a clean-burning, renewable,  
4 American-made fuel that is currently available for use in vehicles  
5 that require diesel fuel.

6 (b) Biodiesel is a renewable diesel fuel that contains no sulfur  
7 or aromatics, and use of biodiesel in a conventional diesel engine  
8 results in a substantial reduction of unburned hydrocarbons, carbon  
9 monoxide, and particulate matter.

10 (c) Increased utilization of renewable diesel fuel results in  
11 significant microeconomic benefits to both the urban and rural  
12 sectors, and improves the balance of trade.

13 (d) Biodiesel is registered as a fuel and fuel additive with the  
14 United States Environmental Protection Agency, and meets clean  
15 diesel standards established by the State Air Resources Board.

16 (e) It is in the public interest to establish a market for renewable  
17 diesel produced in California from California feedstock. By  
18 requiring state-owned and state-leased vehicles to utilize renewable  
19 diesel fuel that meets the appropriate fuel quality standards,  
20 California will be able to reduce its dependence on imports of  
21 foreign oil, improve the health and quality of life for Californians,  
22 and stimulate the creation of a new industry in California that  
23 benefits our farmers and rural communities.

24 (f) California is a world leader for its support of statutory  
25 regulations aimed at balancing the needs of the environment with  
26 economic growth. Promoting the use of renewable diesel fuel in  
27 all state-owned and state-leased vehicles is yet another step forward  
28 in furtherance of this agenda.

29 SEC. 2. Section ~~43867.4~~ 43867.5 is added to the Health and  
30 Safety Code, to read:

31 ~~43867.1.~~

32 43867.5. (a) Any vehicle that requires diesel fuel to operate  
33 that is purchased or leased on or after January 1, 2009, by any  
34 entity of the state shall use ~~renewable diesel fuel~~ *a renewable*

1 *biomass-based diesel fuel blend of 20 percent or more renewable*  
2 *biomass-based components.*

3 (b) All vehicles that require diesel fuel to operate that are owned  
4 or leased by any entity of the state prior to January 1, 2009, shall  
5 use ~~renewable diesel fuel~~ *a renewable biomass-based diesel fuel*  
6 *blend of 20 percent or more renewable biomass-based components*  
7 *by January 1, 2014.*

8 (c) *The requirements of this section shall only apply if all of the*  
9 *following conditions are met:*

10 (1) *Renewable biomass-based diesel fuel is cost-competitive*  
11 *and readily available, as determined by the state board.*

12 (2) *The state board finds in a public hearing that the use of*  
13 *renewable biomass-based diesel fuel will not result in any increase*  
14 *in emissions of air pollutants or toxic air contaminants, based on*  
15 *a full life cycle analysis that quantifies and takes into account the*  
16 *emissions from the production, distribution, sale, and use of the*  
17 *fuel.*

18 (3) *The use of the fuel will not result in the voiding of any*  
19 *warranties for engines or air pollution control equipment.*