

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 1277

Short Title: State Diesel Vehicles' Warranties/B-20 Fuel.

(Public)

Sponsors: Senator Snow.

Referred to: Commerce, Small Business and Entrepreneurship.

March 26, 2007

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT ALL VEHICLES TRANSFERRED TO OR
PURCHASED BY THE STATE THAT ARE CAPABLE OF OPERATING ON
DIESEL FUEL SHALL HAVE A MANUFACTURER'S WARRANTY THAT
COVERS THE USE OF B-20 FUEL.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143-215.107C reads as rewritten:

"§ 143-215.107C. **State agency goals, plans, duties, and reports.**

(a) As used in this section, the following definitions apply:

~~alternative-fueled vehicle means a~~

(1) Alternative-fueled vehicle. – A motor vehicle capable of operating on electricity; natural gas; propane; hydrogen; reformulated gasoline; ethanol; other alcohol fuels, separately or in mixtures of eighty-five percent (85%) or more of alcohol by volume; or ~~fuels, other than alcohol, derived from biological materials.~~ biodiesel fuel and blends of biodiesel fuel and petroleum-based diesel fuel.

(2) B-20. – Defined in G.S. 143-58.4.

(3) Biodiesel fuel. – A liquid fuel that is comprised of mono-alkyl esters of long chain fatty acids derived from vegetable oils or animal fats, designated B-100, and that meets the requirements of the American Society for Testing and Materials (ASTM) D-6751 for biodiesel fuel.

(a1) For purposes of this section, a vehicle that has been converted to operate on a fuel other than the fuel for which it was originally designed is not a new or replacement vehicle.

(b) ~~It~~ Subject to subsection (b1) of this section, it shall be the goal of the State that on and after 1 January 2004 at least seventy-five percent (75%) of the new or replacement light duty cars and trucks purchased by the State will be alternative-fueled vehicles or low emission vehicles. The Department of Administration, the Department of Transportation, and the Department of Environment and Natural Resources shall

1 jointly develop a plan to achieve this goal and to fuel and maintain these vehicles. For
2 purposes of this section, a light duty car or truck is one that is rated at 8,500 pounds or
3 less Gross Vehicle Weight Rating (GVWR).

4 (b1) Every new vehicle purchased by the State that is capable of operating on
5 diesel fuel shall have a manufacturer's warranty that covers the use of B-20 fuel, unless
6 the new vehicle that is needed is not available with a manufacturer's warranty that
7 covers the use of B-20 fuel.

8 (c) Repealed by Session Laws 2006-79, s. 13, effective July 10, 2006.

9 (d) The Department of Administration, the Office of State Personnel, the
10 Department of Transportation, and the Department of Environment and Natural
11 Resources shall jointly develop and periodically update a plan to reduce vehicle miles
12 traveled by State employees and vehicle emissions resulting from job-related travel,
13 including commuting to and from work. The plan shall consider the use of carpooling,
14 vanpooling, public transportation, incentives, and other appropriate strategies. The
15 Department of Transportation shall report on the development and implementation of
16 the plan to the Joint Legislative Transportation Oversight Committee and the
17 Environmental Review Commission on or before 1 October of each year beginning 1
18 October 2000.

19 (e) The Department of Transportation, the Department of Commerce, and the
20 Department of Environment and Natural Resources shall jointly develop and
21 periodically update a plan to reduce vehicle miles traveled by private sector employees
22 and vehicle emissions resulting from job-related travel, including commuting to and
23 from work. The plan shall consider the use of incentives for both private sector
24 employees and employers to promote carpooling, vanpooling, use of public
25 transportation, and other appropriate strategies. The Department of Transportation shall
26 report on the development and implementation of the plan to the Joint Legislative
27 Transportation Oversight Committee and the Environmental Review Commission on or
28 before 1 October of each year beginning 1 October 2000.

29 (f) The Office of State Personnel shall implement a policy that promotes
30 telework/telecommuting for State employees as recommended by the report of the State
31 Auditor entitled "Establishing a Formal Telework/Telecommuting Program for State
32 Employees" and dated October 1997. It shall be the goal of the State to reduce State
33 employee vehicle miles traveled in commuting by twenty percent (20%) without
34 reducing total work hours or productivity."

35 **SECTION 2.** G.S. 143-341(8)i. reads as rewritten:

36 "i. To establish and operate a central motor pool and such
37 subsidiary related facilities as the Secretary may deem
38 necessary, and to that end:

39 ...

40 2. To acquire passenger motor vehicles by transfer from
41 other State agencies and by purchase. All motor vehicles
42 transferred to or purchased by the Department shall
43 become part of a central motor pool. All motor vehicles
44 transferred to or purchased by the Department that are

1 capable of operating on diesel fuel shall have a
2 manufacturer's warranty that covers the use of B-20 fuel,
3 as defined in G.S. 143-58.4.

4 "

5 **SECTION 3.** Article 2 of Chapter 136 of the General Statutes is amended by
6 adding a new section to read:

7 **"§ 136-28.15. Diesel vehicles purchase warranty requirement.**

8 Every motor vehicle transferred to or purchased by the Department of
9 Transportation that is capable of operating on diesel fuel shall have a manufacturer's
10 warranty that covers the use of B-20 fuel, as defined in G.S. 143-58.4, unless the motor
11 vehicle that is needed is not available with a manufacturer's warranty that covers the use
12 of B-20 fuel."

13 **SECTION 4.** This act is effective when it becomes law and applies to motor
14 vehicles transferred or purchased by the State on or after that date.