

Florida Clean Fuels Act
Florida Senate - 1999
Bill - SB 2148 (16-1616-99)

(copy)

A bill to be entitled an act relating to alternative fuel vehicles; creating the “Florida Clean Fuel Act”; providing purposes; providing definition; establishing the Clean Fuel Florida Advisory Board; specifying membership; requiring a report containing recommendations for pilot programs; requiring a report to the Legislature; requiring a budget; providing effective dates.

Be it enacted by the Legislature of the State of Florida:

Section 1. Short title and purpose.

- A. This act may be cited as the “Florida Clean Fuel Act.”
- B. The purpose of this act is to establish the Clean Fuel Florida Advisory Board within the Department of Community Affairs to study the implementation of alternative fuel vehicles in order to formulate and provide to the Secretary of Community Affairs recommendations on expanding the use of alternative fuel vehicles in this state.

Section 2. Definitions - As used in this act, the term:

- A. “Alternative fuels” means electricity, biodiesel, natural gas, propane, and any other fuel that is determined to be appropriate by the Department of Community Affairs with guidance from the Clean Fuel Florida Advisory Board.
- B. “Alternative fuel vehicles” means on-road and off-road transportation vehicles and light-duty, medium-duty, and heavy-duty vehicles that are powered by an alternative fuel or a combination of alternative fuels.

Section 3. Clean Fuel Florida Advisory Board established; membership; duties and responsibilities.

- A. There is created within the Department of Community Services the Clean Fuel Florida Advisory Board.
- B.
 - 1. Within 30 days after the effective date of this act, the Secretary of Community Affairs shall appoint members of the Clean Fuel Florida Advisory Board.
 - 2. The Board shall consist of:
 - 1. The Secretary of Community Affairs, or his or her designee.
 - 2. The Secretary of Environmental Protection, or his or her designee.
 - 3. The Commissioner of Education, or his or her designee.
 - 4. The Secretary of Transportation, or his or her designee.
 - 5. The Commissioner of Agriculture or his or her designee.
 - 6. The Secretary of Management Services, or his or her designee.
 - 7. A representative of:
 - a. The biodiesel industry

- b. The electric utility industry
 - c. The natural gas industry
 - d. The propane gas industry
 - e. An automobile manufacturing association
 - f. A United States Department of Energy-designated Florida Clean Cities Coalition
 - g. Enterprise Florida, Inc.
 - h. EV Ready Broward
 - i. The petroleum industry
 - j. The Florida League of Cities
 - k. The Florida Association of Counties
 - l. Floridians for Better Transportation
 - m. Motor vehicle manufacturers
 - n. Local environmental resource agencies
3. The purpose of the board is to serve as a resource for the Department of Community Affairs and to provide the Governor, the Legislature, and the Secretary of Community Affairs with private-sector and other public-agency perspectives on achieving the goal of increasing the use of alternative fuel vehicles in this state.
 4. Members shall be appointed to serve terms of 1 year each, with reappointment at the discretion of the secretary. Vacancies are to be filled for the unexpired portion of the term.
 5. The board shall annually select a chairman.
 6.
 1. The board shall meet at least once each quarter or more often at the call of the chairman or secretary.
 2. Meetings are exempt from the notice provision of chapter 120, Florida Statutes, and reasonable notice must be given to apprise interested persons of the meetings.
 3. The members of the board are entitled to travel expenses while engaged in the performance of their duties.
 4. The board is terminated on July 1, 2004.
 7. The board shall review the performance of the state with reference to alternative fuel vehicles implementation in complying with federal statutes and maximizing available federal funding, and may:
 1. Advise the Governor, Legislature, and Secretary of Community Affairs regarding recommendations on the implementation and use of alternative fuel vehicles in the state.
 2. Identify potential improvements to the state's alternative fuel policies.
 3. Request from all state agencies any information that the board determines relevant to its duties.
 4. Regularly report to the Secretary of Community Affairs, the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding its findings and

recommendations.

8.
 1. Board members shall, within 90 days after their first meeting, make recommendations to the Department of Community Affairs for establishing pilot programs in this state which provide experience and support the best-use expansion of the alternative fuel vehicle industry in this state. Funds may not be released for a project unless there is at least a 50-percent private or local match.
 2. In addition to the pilot programs, the board shall assess federal, state, and local initiatives to identify incentives that encourage successful alternative fuel vehicle use, including legislative, regulatory, and economic obstacles; and programs to educate and inform the public concerning alternative fuel vehicles.
 3. The board shall determine a reasonable way to address current motor fuel taxes as they apply to alternative fuels and at what threshold of market penetration.
 4. Based on its findings, the board shall provide recommendations to the Legislature on future alternative fuel vehicle programs and legislative changes that will provide the best use of state and other resources to enhance the alternative fuel vehicle market in this state and maximize the return on that investment with respect to job creation, economic development, and emissions reduction.
9. The board, working with the Department of Community Affairs, shall develop a budget in support of its work, and all expenditures must be approved by the department. At the conclusion of the first year, the department shall conduct an audit of the board and its programs.

Section 4. At least 60 percent of the funds provided for in Specific Appropriation No. must be used to increase the use of alternative fuel vehicles by local governments, businesses, and individuals under the guidance of the Clean Fuel Florida Advisory Board. Funds may not be released for a project except through a board grant Process requiring at least 50 percent in matching local or private funds. Priority must be given to projects that promote the use of alternative fuels in community policing programs, at airports and in bus projects, which maximize the availability of federal funds. Advisory Board program support expenditures are not to exceed

\$150,000 in the first year.

Section 5. This act shall take effect upon becoming a law.

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SENATE SUMMARY

Creates the "Florida Clean Fuel Act." Establishes the Clean Fuel Florida Advisory Board within the Department of Community Affairs to study the implementation of alternative fuel vehicles and to provide recommendations on expanding the use of alternative fuel vehicles in this state. Provides membership of the board. Requires a report containing recommendations for pilot programs. Requires a budget.

By Senator Lee.